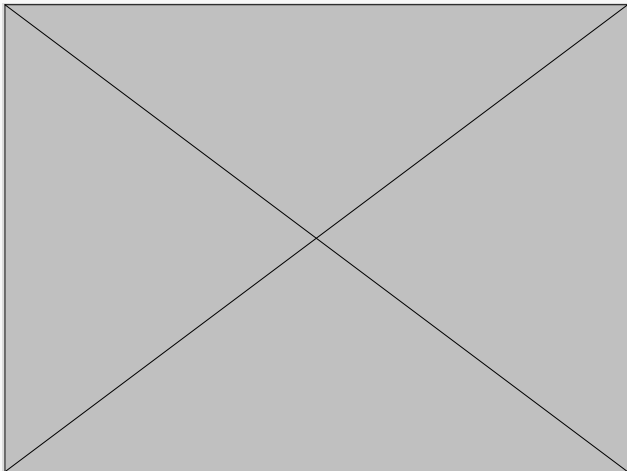
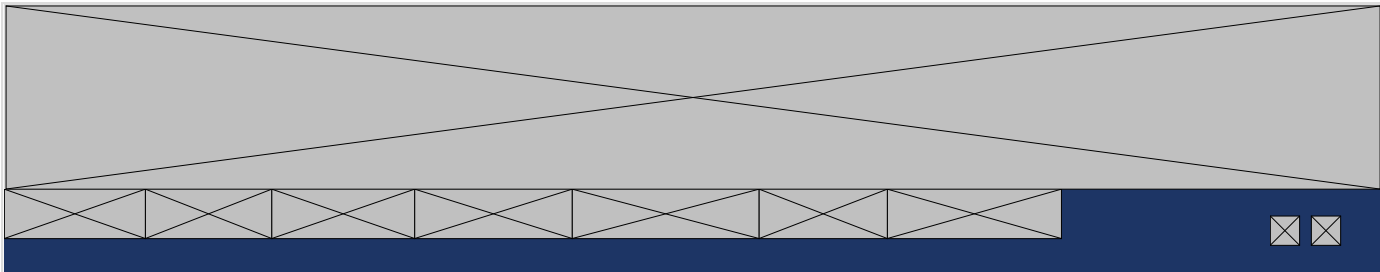


**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Marine Log News  
**Sent:** Wed 7/20/2016 7:48:41 PM  
**Subject:** [Marketing Mail] Whistleblower fired by Horizon awarded \$1 million; Dredge order for Keppel

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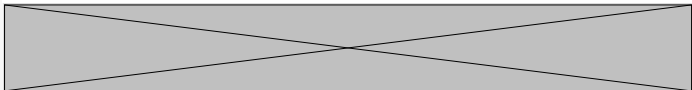


**Austal-built LCS 6 completes shock trials**

**July 20, 2016** —Naval Sea Systems Command (NAVSEA) reports that the Independence variant Littoral Combat Ship USS Jackson (LCS 6) has successfully completed Full Ship Shock Trials (FSST) off the coast of Florida. Three tests were scheduled for the ship and each test was conducted with a 10,000-pound explosive charge.

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**Whistleblower captain fired by Horizon awarded**


## **\$1 million**

In a landmark Seaman's Protection Act decision, a U.S. Department of Labor Administrative Law Judge has awarded a former Horizon Lines master more than \$1 million of damages after being fired following his reporting of safety violations aboard the Horizon Trader.

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## **NASSCO-Norfolk gets \$42.1 million Navy contract mod**

General Dynamics, NASSCO-Norfolk shipyard is being awarded a \$42,129,117 cost-plus-award-fee modification to a previously-awarded contract for the accomplishment of repairs and alterations for USS Oak Hill (LSD-51).

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## **GE Power Conversion gets new President and CEO**

Azeez Mohammed has been appointed President & CEO of GE Energy Connections' Power Conversion business, effective July 11, 2016.

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## **Jan De Nul orders three dredges at Keppel**

Keppel Singmarine Pte Ltd has secured contracts from Jan De Nul Group to build three trailing suction hopper dredges (TSHDs) worth about S\$100 million in total.



### **CEO Spotlight: Q&A with George W. Pasha IV**

### **Gulf Coast Headliner: Ready for the Rebound**

### **Maritime Education: Training and Retaining**

### **Training & Education: Working Together**

### **Demonstrating ROI On Your Hull Coatings**



## **Engineering and Maintenance Administrator**

WETA, San Francisco, CA

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## **Director, Dry Cargo**

Clarksons Platou Shipping Services, Houston, TX

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## **Second Mates**

Young Brothers, Hawaii



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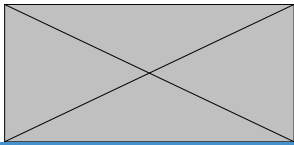
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 2/8/2017 9:27:08 AM  
**Subject:** [Marketing Mail] Senate OKs Trump Education Pick As VP Pence Breaks Tie



**PUBLIC POLICY**

## Dewey Retrial Begins

Follow our live coverage throughout the trial.

**Wednesday, February 8, 2017**

### TOP NEWS

#### Senate OKs Trump Education Pick As VP Pence Breaks Tie

President Donald Trump's administration passed a close test Tuesday, as the Senate narrowly voted to approve Education Secretary nominee Betsy DeVos on the back of a tie-breaking vote from Vice President Mike Pence.

#### Analysis

#### Gorsuch Sparks Hope Among Affordable Justice Advocates

Proponents of loosening regulation on the legal industry, including allowing non-lawyers to represent low-income clients, have cheered the nomination of Judge Neil Gorsuch to the U.S. Supreme Court, saying a high-profile advocate could sway other judges and bar groups to help close the access-to-justice gap.

#### Sessions Advances To Final Senate Vote For AG Post

President Donald Trump's pick for attorney general is teed up for a final Senate vote after clearing a procedural hurdle Tuesday, as Democrats have forced leadership to go through nominations one at a time.

#### Senate Panel Unanimously Advances Veteran Affairs Nominee

One of President Donald Trump's less controversial Cabinet nominees advanced through a U.S. Senate panel Tuesday, as Veterans Affairs Secretary nominee David Shulkin received a unanimous vote from the Senate Veteran Affairs Committee.

#### Gorsuch Dodged Questions 'Like The Plague,' Schumer Says

Senate Minority Leader Chuck Schumer, D-N.Y., said U.S. Supreme Court nominee Judge Neil Gorsuch refused to answer questions about his views of President Donald Trump's controversial immigration ban, the U.S. Constitution's emoluments clause and other hot-button issues during a meeting on Capitol Hill Tuesday.

#### DHS Secretary Says He 'Should Have Delayed' Travel Ban

Secretary of Homeland Security John Kelly took responsibility Tuesday for hastily implementing President Donald Trump's immigration ban, saying in his first hearing before the House Homeland Security Committee that he "should have delayed it just a bit."

#### Senate Dems Promise A Fight Over Net Neutrality Rollback

A group of Senate Democrats said Tuesday that they are ready to defend Obama-era net neutrality rules if the new Federal Communications Commission chairman attacks them, saying the rules have withstood a court challenge, and the public rose

### LAW FIRMS

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Cooper Levenson  
Dewey & LeBoeuf  
Eckert Seamans  
Eversheds Sutherland  
Freshfields  
Hall Estill  
Hangley Aronchick  
Harris Wiltshire  
Herbert Smith Freehills  
Kellogg Huber  
Kline & Specter  
Margulies Wind  
Mayer Brown  
Morgan Lewis  
Reed Smith  
Schmidt Kramer  
Seward & Kissel  
Sidley Austin  
Sullivan & Cromwell  
Tor Hoerman  
White and Williams

### COMPANIES

AT&T Inc.  
American Association for Justice  
American Bar Association  
American Beverage Association  
American Civil Liberties Union  
Apple Inc.  
BTI Consulting Group Inc.

CLV000004

up to demand them.

## **Congress Puts EPA, Power Plan In Crosshairs With New Bills**

The House and Senate GOP are using their majority muscle to hammer environmental regulations. Thus far in the new session, members have floated bills that would eliminate the U.S. Environmental Protection Agency, strike down its controversial Clean Power Plan and amend a cornerstone environmental law to give states more authority.

## **BANKING & SECURITIES**

### **HK Court Finds Steelmaker Breached Disclosure Laws**

A Hong Kong tribunal has found steel manufacturer Mayer Holdings and some current and former executives in breach of corporate disclosure requirements for not sharing material information as soon as practical under the region's securities law, the region's securities watchdog said Tuesday.

## **ENERGY & ENVIRONMENTAL**

### **House Passes Resolution Aimed At BLM Planning Rule**

The U.S. House of Representatives on Tuesday passed its most recent in a series of resolutions targeting late rules from former President Barack Obama's administration, aimed at undoing the Bureau of Land Management's new land-planning regime.

### **House Dems Ask Calif. AG To Probe Exxon On Climate Change**

A group of congressional Democrats from California on Monday announced they have sent a letter to newly sworn-in state Attorney General Xavier Becerra asking him to publicly investigate Exxon Mobil Corp. and other fossil fuel companies that they say may have intentionally misled the public about climate change.

### **Suit Seeks EPA Nominee's Emails With Fossil Fuel Industry**

A media watchdog group sued Environmental Protection Agency nominee Scott Pruitt in Oklahoma state court Tuesday in a bid to force him to hand over thousands of his emails with top fossil fuel industry players and their advocacy groups.

## **HEALTH & LIFE SCIENCES**

### **Fla. Bill To Deregulate Doctor-Patient Retainers Passes Panel**

A Florida Senate committee on Tuesday approved a bill that would ensure direct primary care agreements between doctors and patients are not considered insurance subject to regulation.

### **Feds Hope To Duck \$482M In ACA 'Risk Corridor' Payments**

The U.S. Department of Justice fought on Tuesday to shake one of several lawsuits over the Affordable Care Act's widely lampooned "risk corridor program," telling a D.C. federal judge that the government never contractually agreed to pay \$482 million to make up for losses a health insurance carrier weathered on ACA exchanges.

## **MEDIA & ENTERTAINMENT**

### **NJ Hotel Owner Wouldn't Need Casino License Under Bill**

A New Jersey state senator has introduced a bill that would relieve an Atlantic City hotel owner of needing a casino license to lease a portion of the facility to a casino operator, saying the measure is inspired by the licensing requirement faced by the owner of the defunct Revel Atlantic City resort.

Burford Capital LLC  
Chevron Corporation  
Devon Energy Corporation  
Exxon Mobil Corporation  
Gerchen Keller Capital LLC  
Gold Reserve Inc  
Highmark Inc.  
Hong Kong Exchanges and Clearing  
International Association of Defense Counsel  
Kinross Gold Corporation  
Koch Industries Inc.  
LegalZoom.com Inc.  
Level 3 Communications Inc.  
Los Angeles Times  
Mobilitie LLC  
New York Times Co.  
Revel AC Inc.  
Robert Half International Inc.  
Sierra Club  
Singapore International Arbitration Centre  
Verizon Communications  
Washington State Bar Association

## **GOVERNMENT AGENCIES**

Bureau of Citizenship and Immigration Services  
Bureau of Land Management  
Central Intelligence Agency  
Commodity Futures Trading Commission  
Congressional Research Service  
Department of Commerce  
European Commission  
Executive Office of the President  
Federal Communications Commission  
Fish and Wildlife Service  
Florida State Senate  
Government Accountability Office  
NATO  
New Jersey Casino Control Commission  
New Jersey Legislature  
New York Attorney General's Office  
Securities and Exchange Commission  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Energy

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## TRANSPORTATION & INFRASTRUCTURE

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### Attys Say No Immunity For Makers In Self-Driving Car Regs

Plaintiffs attorneys said Tuesday that regulatory proposals governing the rollout of driverless vehicles should not give car manufacturers blanket legal immunity for injuries caused by their products, maintaining that the courts will serve as the best arbiters on liability issues.

## EMPLOYMENT

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### Dems Reintroduce Paid Family, Medical Leave Bill

Democratic lawmakers reintroduced the Family and Medical Insurance Leave Act in the U.S. House of Representatives on Tuesday, pushing for a new law that would create a national paid family and medical insurance leave program.

### Sens. Ask CFTC To Account For IT, Whistleblower Lapses

Members of the Senate Judiciary Committee and Agriculture, Nutrition and Forestry Committee sought assurances Monday from the U.S. Commodity Futures Trading Commission that it is dealing with information technology security and protecting whistleblowers, after a report revealed systemic weaknesses and retaliation.

## GOVERNMENT CONTRACTS

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### DHS Cyber Center Slowed By Inefficiencies, GAO Says

The Department of Homeland Security must improve tools for evaluation and communication in its cybersecurity program in order to efficiently carry out its mission to counter cyber threats, a recent report from the Government Accountability Office urges.

### Ill. Lotto Players Allege Northstar Lottery Manipulated Games

A proposed class of Illinois Lottery players filed suit Monday in St. Clair County Court, alleging the state's former lottery operation company defrauded businesses that sold scratch-off lottery tickets as well as individuals who purchased the tickets by misrepresenting chances of winning.

## TAX

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### Pa. Legislators Urge Court To Undo Philly Soda Tax Ruling

Three dozen Pennsylvania state lawmakers urged the Commonwealth Court of Pennsylvania to overturn a trial court's decision upholding Philadelphia's controversial tax on sugar-sweetened beverages, arguing Monday that the tax is unlawful and will negatively affect the state's general fund.

### Pa. Gov. Seeks Cuts, Shale Tax To Combat Budget Deficit

Pennsylvania Gov. Tom Wolf proposed a 2017-18 budget Tuesday that eschews sweeping tax increases and instead seeks to chip away at the state's growing deficit with cuts, a levy on shale gas drilling and an end to a number of tax loopholes, but legal services are not specifically targeted.

### Okla. Gov. Aims To Ax Corporate Income Tax, Raise Fuel Tax

Oklahoma Gov. Mary Fallin proposed a rewrite of the state's tax laws on Monday, but her ideas to replace the corporate income tax with hikes in fuel, tobacco and sales taxes may be a hard sell for her own fellow Republicans.

## INTERNATIONAL ARBITRATION

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U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of State

U.S. Department of Transportation

U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Senate

U.S. Supreme Court

United Nations

## **New NJ Law Eases Resolution Of Global Business Disputes**

New Jersey Gov. Chris Christie signed into law on Monday legislation that aims to make it easier for companies to solve international business disputes through mediation, arbitration or conciliation, which the law's sponsors say will boost global trade in New Jersey.

## **IMMIGRATION**

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### **NY Assembly Passes Laws Giving Immigrants Public Benefits**

The New York Assembly on Monday passed several pieces of legislation aimed at protecting undocumented immigrants from undue questioning about their status and securing them access to public benefits including education funding.

### **Immigrants In Ban Suit Ask US To Resume Visa Processing**

A group of immigrants suing the federal government over President Donald Trump's travel ban has urged a Washington federal court to order the government to process visas normally so loved ones won't be stuck in limbo.

### **Lawmakers Float Measures To Block Trump's Border Wall**

Two Democratic lawmakers have introduced bills meant to block the construction of a wall along the U.S.-Mexico border in response to President Donald Trump's pledge to build one and ramp up immigration enforcement.

### **9th Circ. Weighs Trump Travel Ban In Contentious Hearing**

A Ninth Circuit panel on Tuesday grilled both sides in a contentious hearing on the government's bid to reinstate President Donald Trump's ban on travelers from seven predominantly Muslim countries, raising questions about the plaintiff's standing and the president's authority to use religion as a criterion in barring travelers to the United States.

### **GOP Lawmakers Release Bill To Slash Immigration Levels**

Two Republican senators unveiled legislation Tuesday aimed at eventually reducing legal immigration by half, with the bill proposing to exclude parents of citizens from being considered as "immediate relatives" and to eliminate the diversity visa program that allocates visas randomly through a lottery.

## **NATIVE AMERICAN**

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### **Reps. Refloat Bill To Give Va. Tribes Federal Recognition**

A bipartisan group of five congressmen from Virginia reintroduced a bill Tuesday that would bestow federal recognition on six tribes already recognized by the state, saying the tribes face roadblocks to federal recognition because their history goes back beyond the formation of the United States.

## **TELECOMMUNICATIONS**

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### **DC Circ. Won't Rehear AT&T Win Over VoIP Switching Fees**

The D.C. Circuit on Monday denied a bid by Level 3 Communications asking the court to take another look at a panel ruling in AT&T's favor after the telecom giant challenged a Federal Communications Commission order allowing switching charges for voice-over-internet-protocol calls.

### **Verizon Pushes FCC To Clear The Way For 5G Infrastructure**

Verizon Wireless has asked the Federal Communications Commission to take action to make municipalities speed up the installation of 5G wireless broadband infrastructure, saying the FCC has authority on the issue with localities.

### **FCC Defends Revocations Of Lifeline Broadband Providers**

Federal Communications Commission Chairman Ajit Pai sought Tuesday to temper criticism that a recent decision to strip nine companies of eligibility to provide Lifeline broadband service widens the digital divide, saying in an online posting that only one of the companies actually had customers.

### **Reps Pitch Bill To Enforce Royalties For Music Producers**

A pair of federal lawmakers on Tuesday reintroduced a bill that aims to amend a rule on royalty payments in the music industry to allow producers and engineers that help create songs to collect earnings on the work by law, instead of just based on the contracts they strike.

## **EXPERT ANALYSIS**

### **Employer Guidance As Courts Consider Trump's Travel Ban**

Since Jan. 27, many of the initial questions posed by President Donald Trump's recent executive order banning travel to the United States by foreign nationals from seven countries have been answered by administration representatives, but the controversy about the legality of the order continues and is the subject of multiple court actions, say attorneys at Mayer Brown LLP.

### **Understanding The USTR's New Insurance Agreement: Part 2**

In the second half of this two-part series, attorneys with Sullivan & Cromwell LLP continue their discussion of the U.S. Trade Representative's new covered agreement with the European Union, summarizing the agreement's provisions relating to group supervision.

### **The Missing Key To 3rd-Party Litigation Funding**

Unlike other forms of commerce and unlike in other nations, litigation investment and funding in the U.S. is largely unregulated with few disclosure requirements. Where darkness exists, ignorance and mistrust breed. Disclosure and transparency in litigation investment and funding is the first and proper step to better understand this opaque dynamic in the U.S. civil justice system, says Tripp Haston of Bradley Arant Boult Cummings LLP.

## **LEGAL INDUSTRY**

### **Analysis**

### **How To Get Partners To Work Together As A Team**

When Eversheds and Sutherland Asbill & Brennan LLP announced recently that their transatlantic tie-up was complete, the combined firm also revealed a special bonus pool aimed at rewarding teamwork. Here, Law360 looks at a few ways firms can successfully promote cooperation, collaboration and unity.

### **Dewey Judge Shoots Down Mistrial Motion As Retrial Opens**

The retrial of two former Dewey & LeBoeuf LLP executives accused of deceiving the firm's financiers began in earnest on Tuesday with a Manhattan criminal court judge rejecting a defense motion for a mistrial prompted by a prosecutor's mention of Dewey's bankruptcy.

### **Freshfields Sees Slight Revenue Bump As Partner Pay Climbs**

Freshfields Bruckhaus Deringer saw another rise in revenue this past year with the company taking in more than £1.28 billion, while paydays for key management personnel saw an increase as well, according to a recent filing in the U.K.

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## **LAW FIRMS**

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Chamberlain Hrdlicka  
Cooper Levenson  
Dewey & LeBoeuf  
Eckert Seamans  
Eversheds Sutherland  
Freshfields  
Hall Estill  
Hangley Aronchick  
Harris Wiltshire  
Herbert Smith Freehills  
Kellogg Huber  
Kline & Specter  
Margulies Wind  
Reed Smith  
Schmidt Kramer  
Seward & Kissel  
Sidley Austin  
Sullivan & Cromwell  
Tor Hoerman  
White and Williams

#### COMPANIES

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Verizon Communications  
American Association for Justice  
American Bar Association  
American Beverage Association  
American Civil Liberties Union  
Apple Inc.  
BTI Consulting Group Inc.  
Burford Capital LLC  
Chevron Corporation  
Devon Energy Corporation  
Exxon Mobil Corporation  
Gerchen Keller Capital LLC  
Gold Reserve Inc  
Highmark Inc.  
Hong Kong Exchanges and Clearing  
International Association of Defense Counsel  
Kinross Gold Corporation  
Koch Industries Inc.  
LegalZoom.com Inc.  
Level 3 Communications Inc.  
Los Angeles Times  
Mobilitie LLC  
New York Times Co.  
Revel AC Inc.  
Robert Half International Inc.  
Sierra Club

**GOVERNMENT AGENCIES**

U.S. Department of Homeland Security  
U.S. Department of Justice  
Federal Communications Commission  
U.S. Senate  
U.S. Supreme Court  
U.S. Department of the Interior  
U.S. House of Representatives  
Executive Office of the President  
U.S. Customs and Border Protection  
U.S. Department of Health and Human Services  
U.S. Environmental Protection Agency  
United Nations  
Bureau of Citizenship and Immigration Services  
Bureau of Land Management  
Central Intelligence Agency  
Commodity Futures Trading Commission  
Congressional Research Service  
Department of Commerce  
European Commission  
Fish and Wildlife Service  
Florida State Senate  
Government Accountability Office  
NATO  
New Jersey Casino Control Commission  
New Jersey Legislature  
New York Attorney General's Office  
Securities and Exchange Commission  
U.S. Department of Defense  
U.S. Department of Energy  
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U.S. Department of Veterans Affairs  
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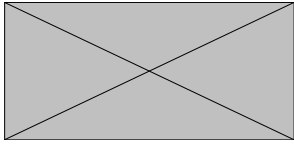
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 5/16/2017 8:05:46 AM  
**Subject:** [Marketing Mail] All Eyes On Lighthizer As US Prepares To Reopen NAFTA



**PUBLIC POLICY.**

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**Tuesday, May 16, 2017**

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## TOP NEWS

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### Analysis

#### **All Eyes On Lighthizer As US Prepares To Reopen NAFTA**

The Trump administration is preparing to start its renegotiation of the North American Free Trade Agreement in earnest, and newly minted U.S. Trade Representative Robert Lighthizer figures to play a central role in determining whether the agreement is due for an overhaul or a mere facelift. [Read more »](#)

#### **SEC Taps Willkie Farr, Sullivan & Cromwell Attys For Top Jobs**

The U.S. Securities and Exchange Commission said Monday that it has filled three top positions, recruiting its general counsel from Willkie Farr & Gallagher LLP, a deputy chief of staff from Sullivan & Cromwell LLP and chief counsel to SEC Chairman Jay Clayton from its own ranks. [Read more »](#)

#### **Trump Infrastructure Plan Several Weeks Away, Chao Says**

U.S. Transportation Secretary Elaine L. Chao on Monday said that President Donald Trump's much-anticipated infrastructure plan is weeks away from being unveiled and is expected to include \$200 billion in direct federal spending to attract the administration's promised \$1 trillion in investments. [Read more »](#)

#### **Trump's Tax Cut For Pass-Throughs May Cost Nearly \$2T**

President Donald Trump's proposal to slash tax rates for so-called pass-through businesses could result in a revenue loss of \$1.95 trillion to federal coffers, with the benefits flowing mainly to the highest income households, according to a nonpartisan think tank's report released on Monday. [Read more »](#)

#### **Senator Floats Bill For Stricter VA Hiring Standards**

Sen. Jeff Flake, R-Ariz., has introduced a bill that would prevent the U.S. Department of Veterans Affairs from hiring or transferring employees who have been convicted of work-related felonies within the past 10 years or had their medical licenses suspended or revoked. [Read more »](#)

## ENERGY & ENVIRONMENTAL

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#### **EPA Urged To Reconsider Coal Ash Disposal Rule**

A utilities group urged the U.S. Environmental Protection Agency on Friday to reconsider a comprehensive set of requirements for the safe disposal of coal ash from coal-fired power plants. [Read more »](#)

#### **CPP Foes, Backers Cross Swords Over Litigation's Stay**

Clean Power Plan challengers and supporters clashed Monday over the U.S. Environmental Protection Agency's request to keep litigation over the Clean Power Plan on hold while it reviews the rule, with rule backers telling the D.C. Circuit that granting the agency's request would effectively kill the rule. [Read more »](#)

## LAW FIRMS

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Charles A. Ross & Associates  
Crowell & Moring  
DLA Piper  
Earthjustice  
Faegre Baker  
Foley & Lardner  
Fried Frank  
Harman Claytor  
Hogan Lovells  
Hunton & Williams  
Jenner & Block  
Kellogg Hansen  
Law Office of John D. Cline  
Paul Hastings  
Prickett Jones  
Proskauer Rose  
Sanford Heisler  
Sidley Austin  
Simpson Thacher  
Skadden  
Squire Patton Boggs  
Standly Hamilton  
Sturgill Turner  
Sullivan & Cromwell  
Troutman Sanders  
Willkie Farr  
WilmerHale

## COMPANIES

Allergan PLC  
Alliance Defending Freedom  
American Academy of Pediatrics  
American Bar Association  
American Civil Liberties Union  
American College of Trial Lawyers  
American Psychiatric Association  
BNSF Railway

CLV000011

## MEDIA & ENTERTAINMENT

### Vermont Passes Bill To Regulate Daily Fantasy Sports

The Vermont Legislature passed a bill on Friday to regulate daily fantasy sports contests in the state, making it the latest jurisdiction to move forward with laws governing an industry that has faced questions of legality. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### NJ Says It's Exempt From Last Claim In GWB Scandal Suit

New Jersey on Friday urged a federal court judge to release it from a proposed class action brought by commuters against Gov. Chris Christie and other state entities over the George Washington Bridge scandal, saying the only claim remaining against the government is barred by state law. [Read more »](#)

### LIRR Pension Scammers Ask 2nd Circ. For New Trials

A doctor and a former union president convicted in a disability fraud scheme involving Long Island Rail Road workers asked the Second Circuit on Monday to grant them new trials because new evidence shows the railroad employees who allegedly scammed pensions were disabled after all. [Read more »](#)

## EMPLOYMENT

### Ex-Aide Says NJ Pol Fired Him Due To Parade Money Demand

A former legislative aide to a Newark, New Jersey, councilman has filed a whistleblower lawsuit claiming he was the subject of retaliation and then terminated after refusing the politician's request for a \$10,000 donation for an annual parade the aide oversaw. [Read more »](#)

### Colo. Bakery Says Ky. Appeals Ruling Boosts Cert Petition

As the U.S. Supreme Court mulls whether it should decide if a Colorado cake shop owner was legally allowed to refuse to make a same-sex couple's wedding cake, the shop owner pointed the justices on Friday to a Kentucky Court of Appeals ruling that shows how divided the issue is. [Read more »](#)

## PRIVACY & CONSUMER PROTECTION

### Rights Groups, States Spar In 4th Circ. Trans Bathroom Case

Texas and 15 other states urged the Fourth Circuit on Monday to reject transgender high school student Gavin Grimm's challenge of a Virginia school district's policy requiring students to use the bathroom of their birth sex, while the American Bar Association and other groups pressed the appellate court to overturn the district's rule. [Read more »](#)

## AEROSPACE & DEFENSE

### VA Made \$5.5B In Improper Payments In 2016, Watchdog Says

Two healthcare programs were largely to blame for the U.S. Department of Veterans Affairs making \$5.5 billion in improper payments in 2016, up \$500 million from the year before, an agency watchdog said Monday. [Read more »](#)

## IMMIGRATION

### 9th Circ. Judges Grill Gov't Over Trump's Travel Ban

The Ninth Circuit heard oral arguments Monday in an appeal over President Donald

Center for Biological Diversity Inc.  
Cox Communications Inc.  
DraftKings Inc.  
Environmental Defense Fund Inc.  
Facebook  
FanDuel Inc.  
Green Bay Packers  
Hobby Lobby Stores  
LinkedIn Corp.  
Long Island Rail Road Co.  
MGM Resorts International  
McDonald's Corporation  
Metro-North Commuter Railroad Co.  
Mohegan Sun  
Morgan Stanley  
National Education Association  
Natural Resources Defense Council  
New York State Bar Association  
PHH Corporation  
Pfizer Inc.  
RenaissanceRe Holdings Ltd.  
Sierra Club  
State Bar of California  
Time Warner Inc.  
U.S. Chamber of Commerce  
Valeant Pharmaceuticals International  
Warburg Pincus LLC  
Wells Fargo & Co.  
Yelp Inc.

## GOVERNMENT AGENCIES

Bureau of Indian Affairs  
California Public Employees' Retirement System  
Consumer Financial Protection Bureau  
Defense Health Agency  
Executive Office of the President  
Federal Communications Commission  
Food and Drug Administration  
Hopi Tribe  
Mashantucket Pequot Tribal Nation  
Mohegan Tribe  
NAFTA  
National Park Service  
Navajo Nation  
New York Attorney General's Office

Trump's revised travel ban, with some judges taking a skeptical view of the government's arguments, including one who raised the specter of an infamous executive order tied to the internment of Japanese Americans. [Read more »](#)

## NATIVE AMERICAN

### Conn. Tribes Tout DOI Letter In Bid For \$300M Casino Project

The Mohegan and Mashantucket Pequot Tribes on Monday pointed to a U.S. Department of the Interior letter they say backs their plans to open a joint-owned casino in Connecticut, as the DOI in the letter reiterated its view that the casino wouldn't upset the tribes' current revenue-sharing agreements with the state. [Read more »](#)

### Hopi Get OK To Join, Seek Nix Of Navajo Seized Remains Row

An Arizona federal judge on Friday allowed the Hopi Tribe to step into the Navajo Nation's lawsuit seeking to force the federal government to return human remains and funerary objects taken from tribal land so that it can argue in favor of the dispute's dismissal. [Read more »](#)

## TELECOMMUNICATIONS

### Pai Hails Rural ISPs' Support Ahead Of Net Neutrality Vote

Federal Communications Commission Chairman Ajit Pai said Friday that doing away with "utility-style" internet regulation will make rolling out rural service more feasible, pointing to a letter of support from 19 nonprofit ISPs that serve small towns. [Read more »](#)

## EXPERT ANALYSIS

### 5 Things To Know About Justice Gorsuch's First 30 Days

Justice Neil Gorsuch joined the U.S. Supreme Court a little more than 30 days ago, on April 7, 2017. And while it is too early for him to have written any opinions, Gorsuch participated in the final 13 oral arguments of the 2016 term. Charles Webber of Faegre Baker Daniels LLP offers five takeaways from his first month on the job. [Read more »](#)

### Uncertain Future For CFPB Small Business Data Rule

Last week, the Consumer Financial Protection Bureau issued a request for information on the small-business lending marketplace — the first step in an anticipated rulemaking pursuant to Section 1071 of Dodd-Frank. While the chances of it being finalized are far from certain, financial institutions should continue to monitor compliance with fair lending laws as they relate to small business, say attorneys with WilmerHale. [Read more »](#)

### Why Florida Pharmaceutical Compounders Should Be Wary

Recent trends suggest that pharmaceutical compounding investigations are on the rise, especially in Florida, due to the state's high rate of military personnel and senior citizens. The government will likely continue to use both the Anti-Kickback Statute and the False Claims Act to exert pressure on pharmacies and individuals, say Charles Ross and Maritere Arsuaga of Charles A. Ross & Associates LLC. [Read more »](#)

## LEGAL INDUSTRY

### Analysis

### The 3 Biggest Ways Data Is Changing The Legal Industry

The legal industry is rapidly transforming as in-house legal departments push their outside law firms to adapt to a new, more efficient way of operating through the increased use of technology and data. Here are three of the biggest ways law is

Port Authority of New York & New Jersey

Securities and Exchange Commission

Small Business Administration

TRICARE

U.S. Department of Justice

U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. Railroad Retirement Board

U.S. Supreme Court

changing in 2017. [Read more »](#)

### **Proskauer Partner Says Bias Complaint Led To Firing Threat**

A partner and practice group head in Proskauer Rose LLP's Washington, D.C., office launched a \$50 million gender bias lawsuit in federal court Friday accusing the firm of paying her less than male colleagues and threatening to fire her when she came forward with her concerns. [Read more »](#)

#### **Analysis**

### **Charges Against BigLaw Atty Show Vetting Difficulties**

Alleged improper trading on client information got a former Foley & Lardner LLP partner fired last year, but the firm that hired him next didn't find out until he was charged — showing how hard it can be to unearth a lateral hire's problematic conduct. [Read more »](#)

### **Del. Gov. Picks Public Defender For Supreme Court Seat**

Delaware Gov. John Carney on Monday picked Assistant Public Defender Gary F. Traynor, who practiced law at Prickett Jones & Elliott PA for 25 years, to fill the state Supreme Court seat left vacant after retired Justice Randy J. Holland stepped down earlier this year. [Read more »](#)

### **Calif. Bar Exam Whips Two-Thirds Of Test Takers**

Almost two-thirds of applicants failed to pass the California Bar Examination that was administered in February, according to a statement issued Friday by the bar. [Read more »](#)

### **My Strangest Day In Court: When There Were No Witnesses**

My client — a corporate counsel for a multinational U.S. company — appeared to be an ideal witness, and I was convinced that what he was going to say would tilt the case in his favor. I wanted him on that witness stand. But on the fateful day, the three-judge panel had other ideas, recalls Stéphane Bonifassi of Bonifassi Avocats. [Read more »](#)

### **Plaintiffs Bar Perspective: Standly Hamilton's Chris Hamilton**

We're living through an era — brought about by "tort reform" and other such misguided ideas — where we're seeing an unprecedented assault on the Seventh Amendment guarantee of trial by jury, says Chris Hamilton of Standly Hamilton LLP. [Read more »](#)

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Standly Hamilton  
Sturgill Turner  
Sullivan & Cromwell  
Troutman Sanders  
Willkie Farr

#### COMPANIES

Alliance Defending Freedom  
American Civil Liberties Union  
Pfizer Inc.  
Allergan PLC  
American Academy of Pediatrics  
American Bar Association  
American College of Trial Lawyers  
American Psychiatric Association  
BNSF Railway  
Center for Biological Diversity Inc.  
Cox Communications Inc.  
DraftKings Inc.  
Environmental Defense Fund Inc.  
Facebook  
FanDuel Inc.  
Green Bay Packers  
Hobby Lobby Stores  
LinkedIn Corp.  
Long Island Rail Road Co.  
MGM Resorts International  
McDonald's Corporation  
Metro-North Commuter Railroad Co.  
Mohegan Sun  
Morgan Stanley  
National Education Association  
Natural Resources Defense Council  
New York State Bar Association  
PHH Corporation  
RenaissanceRe Holdings Ltd.  
Sierra Club  
State Bar of California  
Time Warner Inc.  
U.S. Chamber of Commerce  
Valeant Pharmaceuticals International  
Warburg Pincus LLC

Wells Fargo & Co.  
Yelp Inc.

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U.S. Department of Justice  
U.S. Supreme Court  
Securities and Exchange Commission  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
Bureau of Indian Affairs  
California Public Employees' Retirement System  
Consumer Financial Protection Bureau  
Defense Health Agency  
Executive Office of the President  
Federal Communications Commission  
Food and Drug Administration  
Hopi Tribe  
Mashantucket Pequot Tribal Nation  
Mohegan Tribe  
NAFTA  
National Park Service  
Navajo Nation  
New York Attorney General's Office  
Port Authority of New York & New Jersey  
Small Business Administration  
TRICARE  
U.S. Railroad Retirement Board

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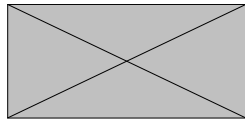
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**From:** Public Policy Law360  
**Sent:** Mon 4/4/2016 8:05:03 AM  
**Subject:** [Marketing Mail] Questions Linger About The Future Of Cyber Sanctions



**PUBLIC POLICY**

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**Monday, April 4, 2016**

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## **TOP NEWS**

### **Questions Linger About The Future Of Cyber Sanctions**

In the year since President Barack Obama unveiled a new sanctions framework to crack down on cybersecurity intrusions, the administration has yet to take action against any companies or individuals, leaving experts to grapple with tough questions about the utility, effectiveness and future of those measures.

### **Bush-Appointed DC Circ. Judge Vouches For Garland**

D.C. Circuit Judge Brett Kavanaugh has said his appeals court colleague Merrick Garland is a "brilliant jurist" who is "supremely qualified" to serve on the nation's highest court following his nomination last month, though the George W. Bush appointee declined to comment on how the Senate should act on his confirmation.

### **Fed Allows Banks To Include Muni Bonds In Liquidity Measure**

The Federal Reserve said Friday that banks could use a limited amount of municipal securities in their calculations of high-quality liquid assets that can be converted into cash in a crisis, responding to criticisms from local governments and other entities.

### **Obama Had Authority To Nix Keystone XL Pipeline, Gov't Says**

The federal government fought back against TransCanada Corp.'s lawsuit over President Barack Obama's refusal to greenlight the Keystone XL pipeline, telling a Texas federal court Friday the president has long had the authority to decide whether cross-border pipelines and cables fit the nation's foreign policy goals.

### **The 2016 Rising Stars, By Firm**

Law360's Rising Stars recognizes attorneys under 40 who have demonstrated outstanding career accomplishments. This year, Quinn Emanuel led the pack with eight Rising Stars, followed by Gibson Dunn, Kirkland & Ellis and Simpson Thacher with seven Rising Stars each. Baker & Hostetler, Latham & Watkins, King & Spalding and Shearman & Sterling each boast five Rising Stars apiece.

## **ANALYSIS**

### **Fla. Corruption Law Puts Target On Government Contractors**

Unscrupulous government contractors may soon find themselves the targets of corruption charges thanks to a new Florida anti-public corruption bill that brings private contractors under the "public servant" definition under state law and lowers the burden of proof for state prosecutors.

### **Law360's Environmental Disaster Survival Guide: Preparation**

Few challenges can test an attorney's mettle like having a client at the center of a full-blown environmental disaster. Doing the best possible job means not only stepping up at the moment a catastrophe occurs, but doing solid advance planning and smart follow-up work. Here, in part one of a three-part series, Law360 identifies best practices for preparing for — and hopefully staving off — an

## **LAW FIRMS**

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Allen & Overy  
Alston & Bird  
Andrews Kurth  
Arnold & Porter  
Arnstein & Lehr  
Baker Botts  
BakerHostetler  
Bancroft PLLC  
Barnes & Thornburg  
Baron & Budd  
Beasley Allen  
Bennet & Bennet PLLC  
Bernstein Litowitz  
Beveridge & Diamond  
Blank Rome  
Boies Schiller  
Bradley Arant  
Brann & Isaacson  
Cadwalader Wickersham  
Cleary Gottlieb  
Covington & Burling  
Cowan DeBaets  
Cravath Swaine  
Cross Gunter  
Crowell & Moring  
DLA Piper  
Davis Polk  
Davis Wright Tremaine  
Debevoise & Plimpton  
Dechert  
Dentons  
Drinker Biddle  
Duane Morris  
Durie Tangri  
Eckert Seamans  
Edelson PC  
Fenwick & West  
Finnegan

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environmental crisis.

### **Spiked Lifeline Compromise Shows Political Cracks In FCC**

The eleventh-hour collapse at the Federal Communications Commission of a bipartisan compromise on expanding the Lifeline subsidy program was a clear illustration of the same political tensions that are prevailing nationally, and experts expect the infighting will lead to little compromise during the remainder of Chairman Tom Wheeler's leadership.

### **Tribal Labor Deals Could Quell NLRB Authority Push**

Hard-fought labor provisions in California's tribal gambling compacts could bolster challenges to National Labor Relations Board authority over tribal casinos by underscoring the potential impact of the agency's regulation of states and labor unions, as well as on tribes themselves.

## **BANKING & SECURITIES**

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### **MSRB Guidance May Hide Muni Markups, SEC Watchdog Says**

The U.S. Securities and Exchange Commission's investor watchdog has urged the Municipal Securities Rulemaking Board to close a potential loophole that he said could give municipal bond dealers a way out from eventually having to disclose the markups they slap onto retail fixed-income sales.

### **FinCEN Wants Crowdfunding Cos. Subject To Securities Law**

The Financial Crimes Enforcement Network proposed rules Friday that would subject crowdfunding portals to the same standards as broker-dealers, in what it said is an attempt to curb money laundering, terrorist financing and other financial crimes and cover a gap left by recent regulations.

## **ENERGY & ENVIRONMENTAL**

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### **9th Circ. Backs EPA Ruling On Ariz. Haze Plan**

The Ninth Circuit on Thursday tossed challenges to a U.S. Environmental Protection Agency rule rejecting parts of Arizona's plan to reduce regional haze, saying the agency properly determined a coal-fired power plant and three other industrial facilities were eligible to install additional pollution controls.

### **EPA Has Authority To Craft CPP, Lawmakers Tell DC Circ.**

Defenders of the U.S. Environmental Protection Agency's Clean Power Plan met Friday's deadline to file amicus briefs supporting the agency in the D.C. Circuit, including more than 200 current and former U.S. lawmakers who say that the rule is true to the language and legislative history of the Clean Air Act.

### **EPA Urges 6th Circ. Not To Rehear Water Rule Decision**

The federal government on Friday urged the Sixth Circuit not to grant several petitions for en banc review of a panel's holding that challenges to a controversial Clean Water Act rule should be heard at the appellate court level.

### **Aliso Canyon Leak Prompts DOT, DOE To Launch Task Force**

The U.S. departments of Energy and Transportation on Friday launched an interagency task force on natural gas storage safety in the wake of the notorious leak from Southern California Gas Co.'s Aliso Canyon storage facility that forced thousands of residents from their homes.

## **HEALTH & LIFE SCIENCES**

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### **Universities Protest House Panel's Fetal Tissue Subpoenas**

Three organizations representing universities and medical schools said they were troubled by a set of subpoenas a U.S. House of Representatives panel issued to

Fish & Richardson  
Fisher & Phillips  
Foley Hoag  
Foster Pepper  
Fox Rothschild  
Fried Frank  
Gibson Dunn  
Glaser Weil  
Goodwin Procter  
Grant & Eisenhofer  
Greenberg Traurig  
Haynes and Boone  
Hinshaw & Culbertson  
Hogan Lovells  
Holland & Knight  
Hunton & Williams  
Jenner & Block  
Jones Day  
Kasowitz Benson  
Katten Muchin  
Kaye Scholer  
Keker & Van Nest  
Kilpatrick Townsend  
King & Spalding  
Kirkland & Ellis  
Kramer Levin  
Labaton Sucharow  
Latham & Watkins  
Littler Mendelson  
Locke Lord  
Loeb & Loeb  
Lynn Pinker  
Marashlian & Donahue  
Mayer Brown  
McDermott Will  
Milbank Tweed  
Mintz Levin  
Morris Nichols  
Munger Tolles  
Munsch Hardt  
Nelson Bumgardner  
Nixon Peabody  
Norton Rose Fulbright  
O'Melveny & Myers  
Ogletree Deakins  
Orrick Herrington  
Patterson & Sheridan  
Patterson Belknap  
Paul Hastings  
Paul Weiss  
Perkins Coie



fetal tissue researchers asking for the names of anyone involved in the research, ranging from physicians to students.

### **New Ariz. Law Requires Outdated Abortion Pill Procedure**

The day after the U.S. Food and Drug Administration updated its label for the abortion pill, Mifeprex, making abortion more accessible to women, Arizona's Republican Gov. Doug Ducey approved a law requiring physicians to stick to the old label.

## **MEDIA & ENTERTAINMENT**

### **Daily Fantasy Sports Future In Hands Of States, Experts Say**

The U.S. attorney for the Eastern District of Pennsylvania said Friday that federal prosecutors were not hurrying to investigate the daily fantasy sports industry, echoing statements from attorneys for DraftKings and FanDuel that the companies' focus was presently on regulation at the state level.

## **TRANSPORTATION & INFRASTRUCTURE**

### **Chicago Can Keep Red-Light Camera Program, Judge Says**

An Illinois judge tossed a legal challenge to Chicago's controversial red-light camera program, saying Friday that the state Legislature's approval of the program defeated a putative class action brought by drivers claiming they were wrongfully ticketed for running red lights.

## **INSURANCE**

### **European Commission Easing Investment Rules On Insurers**

The European Union's capital markets regulator said Friday it will ease requirements for investing in infrastructure projects starting Saturday, one of the first measures in a package of reforms unveiled last year that it hopes will encourage investment by tweaking burdensome regulations and harmonizing others across member states.

## **EMPLOYMENT**

### **Law Firm Group Files Challenge To DOL's 'Persuader' Rule**

An association of labor and employment law firms sued Thursday to challenge the U.S. Department of Labor's controversial "persuader" rule, saying it would illegally infringe on attorney-client relationships by requiring the reporting of confidential information.

### **CSX, Amtrak Say Fed Law Preempts Mass. Sick Time Regs**

CSX Transportation Inc. and Amtrak asked a Massachusetts federal judge Thursday to declare them exempt from the state's new paid sick time law, arguing the federal Railroad Unemployment Insurance Act expressly bars states from foisting their own statutory sickness benefits requirements on railroads.

### **Landmark Paid Leave, Wage Increases Part Of NY Budget Deal**

New York workers will be able to take 12 weeks of paid family leave, the longest and most comprehensive paid leave offered in the nation, under a state budget deal that has been announced by Gov. Andrew Cuomo.

## **PRIVACY & CONSUMER PROTECTION**

### **EU 'Privacy Shield' Would Survive Scrutiny, Report Says**

Phillips Nizer  
Porter Hedges  
Quinn Emanuel  
Reed Smith  
Roberts McGivney  
Robins Kaplan  
Ropes & Gray  
Rosette LLP  
Roylance Abrams  
Rutan & Tucker  
Sanford Heisler  
Seaton Peters  
Segal Roitman  
Seyfarth Shaw  
Shearman & Sterling  
Shook Hardy  
Shutts & Bowen  
Sidley Austin  
Simmons Hanly  
Simpson Thacher  
Skadden  
Sonosky Chambers  
Squire Patton Boggs  
Strasburger & Price  
Sullivan & Cromwell  
Sutherland Asbill  
Troutman Sanders  
Venable LLP  
Vinson & Elkins  
Weil Gotshal  
WhatleyKallas  
White & Case  
Wiley Rein  
Williams & Connolly  
WilmerHale  
Wilson Sonsini  
Winston & Strawn  
Wolf Haldenstein

## **COMPANIES**

Amazon.com Inc.  
American Academy of Pediatrics  
American Civil Liberties Union  
American Enterprise Institute  
American Farm Bureau  
Federation  
American Medical Association Inc.  
American Petroleum Institute Inc.  
Analysis Group Inc.  
Apple Inc.  
Association of American Medical  
Colleges

The new trans-Atlantic “Privacy Shield” data transfer pact between the U.S. and the European Union would withstand the scrutiny of the EU court system, according to a report released Thursday by Hogan Lovells that the firm says is the first legal analysis of the framework.

PRODUCT LIABILITY

FDA Proposes Limit On Arsenic In Infant Rice Cereal

The U.S. Food and Drug Administration on Friday announced draft guidance for the level of inorganic arsenic allowed in infant rice cereal, seeking to reduce exposure in babies to an element that can cause lowered performance on developmental tests that measure learning.

GOVERNMENT CONTRACTS

DHS Acquisitions Improved But Still Need Work, GAO Says

The U.S. Department of Homeland Security strengthened its acquisitions process in recent years to adhere to timelines and budgets for buying everything from software to aircraft, but several major acquisition programs remain off-track, the U.S. Government Accountability Office said Thursday.

TAX

10th Circ. Won't Rethink Upholding Colo. 'Amazon Tax' Law

The Tenth Circuit on Friday denied the Direct Marketing Association's request to reconsider a February decision affirming Colorado's tax reporting obligations for out-of-state sellers despite the business marketing group's contention that the court had failed to acknowledge the ruling's full impact.

NY State Passes Budget With Personal Income Tax Cuts

The newly passed New York state budget calls for middle-income tax rates to decline to historic lows from 2018 through 2025, falling from their current range of 6.65 to 6.45 percent to as low as 5.5 percent in 2025, officials said Friday.

TELECOMMUNICATIONS

Disney, ABC Tell FCC Retrans Consent Market 'Not Broken'

Executives from the Walt Disney Co. and ABC affiliates have told Federal Communications Commission officials that the marketplace for negotiating retransmission rights works fine and the agency doesn't need new regulations to fix it.

EXPERT ANALYSIS

In Congress: Iran, ISIS, Trade Secrets Protection

Currently, trade secrets lack federal civil protection for misappropriation. The Defend Trade Secrets Act will provide trade secret owners with the same access to federal court that copyright, trademark and patent owners already enjoy. This bipartisan legislation is of widespread interest to U.S. businesses fending off efforts, often driven by foreign competitors, to steal their trade secrets, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP.

The Current Battle Over Native American Land Allotment

The Indian Land Consolidation Act has recently come under attack from states, local governments and utilities that wish to condemn Native American lands — ignoring basic principles of statutory construction and tribal sovereignty and the

Association of American Universities Inc.  
CSX Corporation  
California Indian Legal Services  
Chevron Corporation  
Cray Inc  
Danaher Corporation  
Dell Inc.  
DraftKings Inc.  
Enable Midstream Partners LP  
FanDuel Inc.  
Financial Industry Regulatory Authority Inc.  
Gannett Co. Inc.  
Google Inc.  
Guttmacher Institute  
Home Depot, Inc.  
Mentor Graphics Corporation  
Microsoft Corporation  
Murray Energy Corp.  
National Association of Home Builders  
National Association of Manufacturers  
National Collegiate Athletic Association  
National Railroad Passenger Corporation  
Neiman Marcus Group  
Omnicare Inc.  
OptumHealth Inc.  
Planned Parenthood Federation  
Redflex Traffic Systems  
SIFMA  
Southern California Edison  
Southern California Gas Co.  
Takata Corp.  
Target Corporation  
The Walt Disney Company  
TransCanada Corporation  
Tucson Electric Power Co.  
Twitter Inc.  
Zeughauser Group LLC  
eBay Inc.

GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Labor Statistics  
Centers for Disease Control and Prevention  
Central Intelligence Agency  
Chickasaw Nation  
Consumer Financial Protection

fundamental purpose behind the act, say David Smith and Dustin Greene at Kilpatrick Townsend & Stockton LLP.

### Viewing Recent Opioid Regulations In Context

The new U.S. Centers for Disease Control guideline and U.S. Food and Drug Administration black box warnings are the latest in a long series of efforts to address the inappropriate use of opioids. Careful analysis of medical literature, government statistics and medical claims data can suggest ways to improve policy efforts aimed at reducing abuse while preserving access for legitimate patient need, say consultants with Analysis Group Inc.

### All Eyes On DC Circ. For Ruling On FCC's TCPA Order

In the consolidated appeal ACA International v. Federal Communications Commission, the D.C. Circuit will have to sort through a range of FCC determinations that were either inadequately reasoned or inconsistently applied in the Telephone Consumer Protection Act order last summer. Briefing has now concluded, and the battle lines have been drawn, say attorneys with Drinker Biddle & Reath LLP.

## LEGAL INDUSTRY

### 5 Areas Bucking The Slowdown In Litigation

While some firms have taken a hit recently from a litigation slowdown in core practice areas and overall drop in civil filings over the last year, there are nevertheless several industries bucking that trend. Here are five areas keeping litigators as busy as ever.

### Holland & Knight First-Year Associates See \$160K Salaries

Holland & Knight LLP has raised salaries for first-year associates in all of its offices except in Denver, the firm confirmed Friday, boosting pay from \$145,000 to \$160,000 in its major markets.

### Chicago May Be Fertile Ground For Law Firm Mergers

Chicago could be the land of opportunity for firms looking to expand through acquisition, according to a survey released Friday, which found that leaders of small to midsized firms in the city are, on the whole, open to a tie-up and eager to grow.

### GC Cheat Sheet: The Hottest Corporate News Of The Week

In-house counsel turns whistleblower, California ups the minimum wage and BigLaw is targeted by hackers — and plaintiffs lawyers with data breaches on the mind. Those stories top the last week's corporate news you need to know about.

### Patterson Belknap Saw Dip In Revenue, Partner Profit In '15

New York's Patterson Belknap Webb & Tyler LLP had a relatively stable 2015 in terms of revenue compared with other firms, seeing a slight 0.8 percent dip in gross revenue that tallied up to about \$188 million, while the average partner brought in a little less profit.

### Spring Brings 1,200 New Jobs To Legal Sector

The addition of new legal services jobs in the U.S. economy in February was sluggish, but March brought a glimmer of hope to the sector with 1,200 new jobs, according to a report on Friday by the U.S. Bureau of Labor Statistics.

### Supreme Court's Internal Style Guide Goes Public

The U.S. Supreme Court's private style guide, intended as an internal document, is now available for sale online after a lawyer who practices before the court made copies of the guide, wrote a set of notes and bound it all in book form.

### In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

Bureau  
Department of Agriculture  
Department of Commerce  
Department of Health and Human Services  
Department of Homeland Security  
Department of Labor  
Department of the Interior  
European Commission  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Reserve System  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Food and Drug Administration  
Government Accountability Office  
Library of Congress  
Little River Band of Ottawa Indians  
Municipal Securities Rulemaking Board  
National Labor Relations Board  
National Oceanic and Atmospheric Administration  
Nuclear Regulatory Commission  
Occupational Safety and Health Administration  
Office of the Comptroller of the Currency  
Pipeline and Hazardous Materials Safety Administration  
Rincon Band of Luiseno Mission Indians  
Saginaw Chippewa Indian Tribe of Michigan  
San Francisco Bay Area Rapid Transit District (BART)  
Securities and Exchange Commission  
Substance Abuse and Mental Health Services Administration  
U.S. Coast Guard  
U.S. Department of Justice  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives

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U.S. Supreme Court

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Hunton & Williams

Gibson Dunn

Hogan Lovells

Jones Day

Kirkland & Ellis

Perkins Coie

Skadden

Troutman Sanders

Weil Gotshal

Akin Gump

BakerHostetler

Boies Schiller

Covington & Burling

Cravath Swaine

Dechert

Drinker Biddle

Fish & Richardson

Goodwin Procter

Greenberg Traurig

Jenner & Block

Kilpatrick Townsend

Latham & Watkins

Locke Lord

Mayer Brown

McDermott Will

Munger Tolles

Ogletree Deakins

Shook Hardy

Sutherland Asbill

Vinson & Elkins

White & Case

Wilson Sonsini

Winston & Strawn

Allen & Overy

Alston & Bird

Andrews Kurth

Arnold & Porter

Arnstein & Lehr

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Baker Botts  
Bancroft PLLC  
Barnes & Thornburg  
Baron & Budd  
Beasley Allen  
Bennet & Bennet PLLC  
Bernstein Litowitz  
Beveridge & Diamond  
Blank Rome  
Bradley Arant  
Brann & Isaacson  
Cadwalader Wickersham  
Cleary Gottlieb  
Cowan DeBaets  
Cross Gunter  
Crowell & Moring  
DLA Piper  
Davis Polk  
Davis Wright Tremaine  
Debevoise & Plimpton  
Dentons  
Duane Morris  
Durie Tangri  
Eckert Seamans  
Edelson PC  
Fenwick & West  
Finnegan  
Fisher & Phillips  
Foley Hoag  
Foster Pepper  
Fox Rothschild  
Fried Frank  
Glaser Weil  
Grant & Eisenhofer  
Haynes and Boone  
Hinshaw & Culbertson  
Kasowitz Benson  
Katten Muchin  
Kaye Scholer  
Keker & Van Nest  
King & Spalding  
Kramer Levin  
Labaton Sucharow  
Littler Mendelson  
Loeb & Loeb  
Lynn Pinker  
Marashlian & Donahue  
Milbank Tweed  
Mintz Levin  
Morris Nichols  
Munsch Hardt  
Nelson Bumgardner

Nixon Peabody  
Norton Rose Fulbright  
O'Melveny & Myers  
Orrick Herrington  
Patterson & Sheridan  
Patterson Belknap  
Paul Hastings  
Paul Weiss  
Phillips Nizer  
Porter Hedges  
Quinn Emanuel  
Reed Smith  
Roberts McGivney  
Robins Kaplan  
Ropes & Gray  
Rosette LLP  
Roylance Abrams  
Rutan & Tucker  
Sanford Heisler  
Seaton Peters  
Segal Roitman  
Seyfarth Shaw  
Shearman & Sterling  
Shutts & Bowen  
Simmons Hanly  
Simpson Thacher  
Sonosky Chambers  
Squire Patton Boggs  
Strasburger & Price  
Sullivan & Cromwell  
Venable LLP  
WhatleyKallas  
Wiley Rein  
Williams & Connolly  
WilmerHale  
Wolf Haldenstein

#### COMPANIES

Amazon.com Inc.  
American Civil Liberties Union  
American Petroleum Institute Inc.  
Apple Inc.  
Financial Industry Regulatory Authority Inc.  
Planned Parenthood Federation  
Zeughauser Group LLC  
American Academy of Pediatrics  
American Enterprise Institute  
American Farm Bureau Federation  
American Medical Association Inc.  
Analysis Group Inc.  
Association of American Medical Colleges

Association of American Universities Inc.  
CSX Corporation  
California Indian Legal Services  
Chevron Corporation  
Cray Inc  
Danaher Corporation  
Dell Inc.  
DraftKings Inc.  
Enable Midstream Partners LP  
FanDuel Inc.  
Gannett Co. Inc.  
Google Inc.  
Guttmacher Institute  
Home Depot, Inc.  
Mentor Graphics Corporation  
Microsoft Corporation  
Murray Energy Corp.  
National Association of Home Builders  
National Association of Manufacturers  
National Collegiate Athletic Association  
National Railroad Passenger Corporation  
Neiman Marcus Group  
Omnicare Inc.  
OptumHealth Inc.  
Redflex Traffic Systems  
SIFMA  
Southern California Edison  
Southern California Gas Co.  
Takata Corp.  
Target Corporation  
The Walt Disney Company  
TransCanada Corporation  
Tucson Electric Power Co.  
Twitter Inc.  
eBay Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Environmental Protection Agency  
Federal Communications Commission  
Food and Drug Administration  
Securities and Exchange Commission  
U.S. Department of Justice  
Federal Bureau of Investigation  
Federal Trade Commission  
U.S. Department of the Treasury  
U.S. Patent and Trademark Office  
Army Corps of Engineers  
Bureau of Labor Statistics  
Centers for Disease Control and Prevention  
Central Intelligence Agency

Chickasaw Nation  
Consumer Financial Protection Bureau  
Department of Agriculture  
Department of Commerce  
Department of Health and Human Services  
Department of Homeland Security  
Department of Labor  
Department of the Interior  
European Commission  
Federal Aviation Administration  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Reserve System  
Financial Crimes Enforcement Network  
Government Accountability Office  
Library of Congress  
Little River Band of Ottawa Indians  
Municipal Securities Rulemaking Board  
National Labor Relations Board  
National Oceanic and Atmospheric Administration  
Nuclear Regulatory Commission  
Occupational Safety and Health Administration  
Office of the Comptroller of the Currency  
Pipeline and Hazardous Materials Safety Administration  
Rincon Band of Luiseno Mission Indians  
Saginaw Chippewa Indian Tribe of Michigan  
San Francisco Bay Area Rapid Transit District (BART)  
Substance Abuse and Mental Health Services Administration  
U.S. Coast Guard  
U.S. Department of State  
U.S. Department of Transportation  
U.S. House of Representatives  
U.S. Office of Personnel Management  
U.S. Senate

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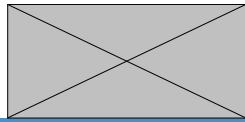
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CLV000026



**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 6/16/2016 8:20:41 AM  
**Subject:** [Marketing Mail] 8th Circ. Nixes Minn. Emissions Law But Can't Clear The Air



**PUBLIC POLICY**

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Thursday, June 16, 2016

## TOP NEWS

### 8th Circ. Nixes Minn. Emissions Law But Can't Clear The Air

The Eighth Circuit's fractured decision invalidating portions of a Minnesota law that effectively prohibited new coal-fired plants from supplying electricity to Minnesotans will embolden opponents of state-level efforts to combat climate change and inspire more legal challenges, but leaves the debate over how the U.S. Constitution affects state climate programs far from settled, experts say.

### Senate Dems' Gun Control Filibuster Halts Funding Debate

Senate Democrats took the floor Wednesday during debate over a \$56 billion funding bill for the Departments of Justice and Commerce and scientific research, launching a filibuster in protest of a lack of Senate action on gun control.

### Unions Ask 6th Circ. To Affirm Win In Local Right-To-Work Row

Several unions have urged the Sixth Circuit to affirm a district court's finding that the National Labor Relations Act forbids counties and local governments from regulating union agreements, saying a Kentucky county's right-to-work ordinance that bans requiring workers to pay union dues or fees is directly contradicted by federal law.

### Online Retailer Challenges Ala. Rule Requiring Sales Tax

An online electronics retailer has launched a legal challenge to Alabama's decision to force it to collect sales tax after the state recently joined a handful of others to defy a U.S. Supreme Court ruling requiring remote sellers to have a physical presence in the state for tax purposes, according to an announcement Wednesday.

### High Court's Ruling Aids Patent Trolls, Lobbyists Say

A lobbying group with members including Amazon, Cisco and Google on Tuesday said a U.S. Supreme Court decision discarding the Federal Circuit's strict test for increasing patent case damages will lead to more patent troll lawsuits and urged Congress to swiftly pass patent litigation reform.

### Pa. AG's Bid To Nix Criminal Charges Tossed As Premature

A Pennsylvania appeals court on Wednesday rejected state Attorney General Kathleen Kane's effort to appeal an order refusing to toss charges that she lied to a grand jury about her role in leaking confidential investigative information to the press, after prosecutors argued the appeal is premature.

## ANALYSIS

## LAW FIRMS

Akin Gump  
Arent Fox  
Arnold & Porter  
Baker & McKenzie  
Bean Kinney  
Beeson Tayer  
Bergeson & Campbell  
Boies Schiller  
Bracewell LLP  
Brann & Isaacson  
Choate  
Covington & Burling  
Cozen O'Connor  
Cravath Swaine  
DLA Piper  
Davis Wright Tremaine  
Dechert  
Drinker Biddle  
Earthjustice  
Fried Frank  
Frost Brown Todd  
Gibson Dunn  
Goodwin Procter  
Holland & Hart  
Hughes Hubbard  
Hunton & Williams  
Jeffer Mangels  
Jenner & Block  
K&L Gates  
Kaplan Voekler  
Kelley Drye  
King & Wood Mallesons  
Kramer Levin  
Locke Lord

CLV000027

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## Legal Hurdle Cleared For Reg A+ Deals But Market Uncertain

With a key legal cloud removed thanks to a recent D.C. Circuit ruling, experts say the big challenge now for Regulation A transactions, which are newly established exempt offerings that some liken to a mini-IPO, will be attracting investors in an uncertain marketplace still adapting to a revamped landscape of private offerings after the Jumpstart Our Business Startups Act.

## Cyberthreat Info-Sharing Gains Momentum After Guidance

Companies have been slow to participate in the voluntary cyberthreat information-sharing regime set up by Congress six months ago, but experts said Wednesday that adoption is likely to grow in the coming months as agency guidance and firsthand accounts ease companies' uncertainty over the scope of liability protections and working with the federal government.

## BANKING & SECURITIES

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## Dodd-Frank Isn't Holding Back Banks, FDIC Chair Says

A top U.S. banking regulator said Wednesday that despite assertions that post-financial crisis reforms have harmed the banking industry, key metrics like loan growth, profits and the percentage of financial assets held by banks have gone up since 2010.

## ENERGY & ENVIRONMENTAL

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## Maker Of GE Salmon Wants In On FDA-Approval Challenge

A biotechnology company asked a California court Tuesday to intervene in a challenge to the U.S. Food and Drug Administration's approval of a genetically engineered salmon for human consumption, saying the agency doesn't adequately represent it in litigation that could negate decades of work and millions in expenditures.

## 8th Circ. Kills Minn. Law Blocking New Coal Plants' Power

An Eighth Circuit panel on Wednesday backed a lower court ruling that nixed portions of a Minnesota law effectively barring new coal-fired plants from supplying electricity to the state, though only one judge concluded the law imposes regulations on neighboring North Dakota in violation of the Constitution's dormant Commerce Clause.

## HEALTH & LIFE SCIENCES

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## AMA Expands Firearm Policy To Cover All Guns

A day after declaring gun violence "a public health crisis," the American Medical Association on Wednesday voted to expand its existing policy on gun safety to include support for waiting periods and background checks for people buying all types of guns.

## IP & TECHNOLOGY

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## USPTO's Proposed Patent Description Rules Draw Protests

The Intellectual Property Owners Association trade organization, the American Bar Association and public information advocate Public Knowledge were among the voices Tuesday critiquing the U.S. Patent and Trade Office's proposed new approach to written description requirements in design patents.

## MEDIA & ENTERTAINMENT

Mayer Brown  
Morgan Lewis  
Morrison & Foerster  
NSIP Law  
Orrick Herrington  
Paul Hastings  
Polsinelli  
Priddy Cutler  
Reed Smith  
Rivkin Radler  
Robbins Russell  
Ropes & Gray  
Schiff Hardin  
Schulte Roth  
Sedgwick LLP  
Seyfarth Shaw  
Shayne Dachs  
Sheppard Mullin  
Simpson Thacher  
Steptoe & Johnson LLP  
Sterne Kessler  
Stoel Rives  
Venable LLP  
White & Case  
Wilson Sonsini  
Winston & Strawn  
Winthrop & Weinstine  
Womble Carlyle

## COMPANIES

AT&T Inc.  
Aetna Inc.  
Airbnb Inc.  
America Fujikura Ltd.  
American Bar Association  
American Cable Association  
American Federation of Labor and Congress of Industrial Organizations  
American Hospital Association  
American Immigration Lawyers Association  
American Medical Association Inc.  
American Petroleum Institute Inc.  
Berkshire Hathaway Inc.  
California Independent System Operator  
Calpine Corporation  
CenturyLink Inc.  
Cisco Systems Inc.  
Comcast Corporation  
Crocs Inc.  
DraftKings Inc.

CLV000028

## Pa. House Committee OKs Daily Fantasy Sports Bill

A Pennsylvania legislative committee on Wednesday approved a bill that would legalize and regulate daily fantasy sports in the state.

## TRANSPORTATION & INFRASTRUCTURE

## STB Wants To Fast-Track Rail Rate Spats

The Surface Transportation Board said Wednesday it is considering a new process for fast-tracking the shipper-railroad rate disputes that dominate much of the agency's docket, in a move that could ultimately provide stakeholders some relief from drawn-out, often yearslong proceedings.

## INSURANCE

## Aetna Can't Recoup Medical Costs From Hanover: NY Justices

New York's highest court ruled Tuesday that Aetna can't seek reimbursement from auto insurer Hanover Insurance Co. for payments it made to health care providers that treated a car crash victim, holding that the state's no-fault law doesn't allow a health insurer to pursue such a claim.

## EMPLOYMENT

## Browning-Ferris Supporters Slam NLRB Joint Employer Test

The U.S. Chamber of Commerce, Microsoft, numerous industry trade groups and the state of Texas each sided with waste management company Browning-Ferris Industries on Tuesday in its D.C. Circuit appeal seeking to overturn the National Labor Relations Board's new joint-employer standard. Here, Law360 looks at the arguments presented by BFI's amicus supporters.

## PRIVACY & CONSUMER PROTECTION

## Citing Orlando, Sen. Says FBI Needs Quick Access To Data

As the Senate Judiciary Committee ponders restricting government access to data by amending the Electronic Communications Privacy Act, the FBI should have easier access to that information in order to help prevent future terrorist attacks like the one carried out Sunday in Orlando, Sen. John Cornyn argued on Tuesday.

## GOVERNMENT CONTRACTS

## House GOP Cuts Off Bid For LGBT Amendment In Defense Bill

House leaders dodged a partisan fight over a measure to provide protections for LGBT contractors in the \$610 billion Defense Department funding bill, after a similar measure sunk a \$37 billion energy and water bill last month.

## FEMA Told To Fix Lax Grant Oversight, Claw Back \$51M

The Federal Emergency Management Agency should better manage a firefighter assistance grant program to avoid fraud and abuse and claw back \$51.2 million in grants that Cimarron Electric Cooperative used on noncompetitive storm recovery contracts, a watchdog has said.

## Lawmakers Demand DOD Explain Handling Of Whistleblowers

A bipartisan group of lawmakers said Tuesday they have asked a Pentagon watchdog to explain its efforts to investigate whistleblower reprisal claims involving the U.S. Department of Defense and its contractors, citing concerns over apparent

FanDuel Inc.

Google Inc.

HomeAway Inc.

IP Owners Association

International Brotherhood of Teamsters

Level 3 Communications Inc.

Microsoft Corporation

Morgan Stanley

NASDAQ OMX Group Inc.

National Retail Federation Inc.

Netflix Inc.

Newegg Inc.

Overstock.com Inc.

PacifiCorp

PepsiCo Inc.

Public Knowledge

RCN Corp.

Retail Litigation Center Inc.

SeaWorld Entertainment Inc.

Stryker Corporation

U.S. Chamber of Commerce

United Auto Workers

United States Telecom Association

Zayo Group Holdings Inc.

## GOVERNMENT AGENCIES

Bureau of Indian Affairs

Bureau of Labor Statistics

Bureau of Land Management

Centers for Disease Control and Prevention

European Commission

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Emergency Management Agency

Federal Energy Regulatory Commission

Fish and Wildlife Service

Food and Drug Administration

Government Accountability Office

Internal Revenue Service

International Trade Commission

National Aeronautics and Space Administration

National Labor Relations Board

National Security Agency

Occupational Safety and Health

“persistent, systemic” issues negatively affecting those investigations.

## INTERNATIONAL TRADE

### Sens. Press For Tough Enforcement Of Slave Labor Import Law

A pair of high-ranking Democratic senators on Tuesday leaned on Obama administration officials to strictly enforce a newly minted law barring the importation of goods manufactured with slave labor, stressing that merely having the law on the books means little without sufficient oversight.

### ITC Calls For Input On New MTB Process

The U.S. International Trade Commission began preparing Wednesday for its new role as the coordinator of the miscellaneous tariff bill, seeking comments from importers on the documentation they will have to submit to receive duty suspensions under the recently revamped process.

## TAX

### Airbnb To Begin Paying Pa. Hotel Tax

Airbnb Inc. will collect and remit taxes from its Pennsylvania guests beginning July 1, making the state the latest addition to more than two dozen other jurisdictions where the company collects taxes directly from its users, the Pennsylvania Department of Revenue announced Wednesday.

### House Panel Votes To Censure IRS Chief Over Alleged Bias

A House Committee passed a resolution Wednesday to censure Internal Revenue Service Commissioner John Koskinen for purportedly suppressing evidence of the agency’s political bias against conservative groups.

## IMMIGRATION

### BLS Could Skew Prevailing Wages, Immigration Attys Say

The U.S. Bureau of Labor Statistics’ proposed changes to occupation, industry and area details in its Occupational Employment Statistics survey are “vague and confusing” and would skew prevailing wage determinations in hiring foreigners, the American Immigration Lawyers Association has said.

## NATIVE AMERICAN

### DOI Needs Closer Eye On Tribal Oil, Gas Agreements: GAO

The U.S. Department of the Interior needs to better monitor how it reviews and approves revenue-sharing agreements for Native American oil and gas projects if it wants to make sure its recent guidance is speeding up the process, according to a U.S. Government Accountability Office report released Tuesday.

### Calif. Tribe, Enviros Blast Feds’ Geothermal Lease Proposal

The Pit River tribe and several environmental groups urged a California federal judge Tuesday to reject the federal government’s proposed order regarding its decision to continue geothermal leases on California land sacred to the tribe, saying the government is asking the court to rule on leasing issues that aren’t part of the case.

## TELECOMMUNICATIONS

### EU Floats Plan To Rein In Wholesale Roaming Charges

The European Commission on Wednesday proposed to cut down the roaming

Administration

Securities and Exchange  
Commission

Small Business Administration

Surface Transportation Board

U.S. Customs and Border  
Protection

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and  
Human Services

U.S. Department of Homeland  
Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Interior

U.S. Environmental Protection  
Agency

U.S. House of Representatives

U.S. Patent and Trademark Office

U.S. Supreme Court

rates that networking operators charge each other, a move intended to prepare the market for the commission's plan to end consumer roaming rates by June 2017.

### **FCC Told To Level Regs Playing Field For Online Video**

An alliance that includes Telletopia Foundation, BitTorrent and BiggyTV urged the Federal Communications Commission on Wednesday to move forward on plans to change how online video distributors are regulated, but to ensure the rules do not apply to companies like Netflix and Amazon.

### **Cable Group Calls FCC's Set-Top Box Plan 'Unworkable'**

The Federal Communications Commission faced continued outcry over its plan to unlock set-top boxes, including on the House floor, with a small cable group warning in a filing posted on Wednesday that the commission should discard the proposal or at least exempt smaller companies from the rules.

### **Telecoms Proceed With Leaner Baltimore Rate Hike Suit**

A Maryland federal judge spared a lawsuit Tuesday that several telecoms brought against the Baltimore City Council over its decision to triple underground conduit fees, but tossed the Fifth Amendment takings and other claims.

## **PEOPLE**

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### **Polsinelli Lures Former Lawmaker To Public Policy Practice**

Polsinelli PC on Tuesday said that it has lured a former U.S. congressman from Steptoe & Johnson LLP, whose experience on health care and energy issues will add to the firm's growing national public policy practice.

## **EXPERT ANALYSIS**

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### **In-House Counsel Beware: TSCA Reform Impacts Everyone**

The rules of engagement in the chemical world as we know it are set to change dramatically and imminently with the forthcoming revisions to the Toxic Substances Control Act. In-house counsel who may be under the impression that the rule only applies to "chemical producers" and not to their companies are gravely mistaken, says Lynn Bergeson at Bergeson & Campbell PC.

### **DTSA's Promise Of Uniformity Remains Unfulfilled**

The new Defend Trade Secrets Act is supposed to provide a more uniform body of law governing trade secrets claims, but it provides no guidance to courts as to whether they should interpret its provisions based upon state law or a new federal common law. One need look no further than the basic definitions of "trade secret" and "misappropriation" to identify conflicts between the DTSA and state laws, say Daniel Winston and Irina Oberman Khagi of Choate Hall & Stewart LLP.

### **PETA's Push To Expand Limits Of Worker Safety Laws**

People for the Ethical Treatment of Animals has stretched the boundaries of "workplace hazards" to request specific and targeted regulations for industries that utilize or display animals. Such efforts have resulted in a profound regulatory mismatch and an unfortunate distraction from the Occupational Safety and Health Administration's worker protection mission, say attorneys at Kelley Drye & Warren LLP.

### **FERC Berkshire Hathaway Order May Jolt Electricity Market**

With its recent order revoking Berkshire Hathaway Energy entities' market-based rate authority, the Federal Energy Regulatory Commission has indicated its critical examination of the industry's competitive landscape. The agency's decision may have broad-reaching impacts for buyers and sellers of electricity, as well as investors that finance generation projects throughout the country, says Heather Curlee at Wilson Sonsini Goodrich & Rosati.



## What FDA's Drug Distributor Licensing Regs Should Address

The U.S. Food and Drug Administration intends to issue long-awaited proposed regulations governing the licensing of prescription drug wholesale distributors. We hope the FDA meets its self-imposed deadline, and addresses certain key issues in the forthcoming guidance, says Kevin Madagan at Reed Smith LLP.

## LEGAL INDUSTRY

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### What It Takes To Get Hired At A BigLaw Firm

Jumping to a BigLaw firm can open doors for a partner — bringing access to more lawyers, markets, clients and of course, more money — but before an attorney can reap the rewards that come with the territory, he or she has to get hired. Here, Law360 looks at what attorneys need to do to take advantage of the booming lateral market and secure a job at a BigLaw firm.

### Bracewell Lays Off Staffers After Its Lawyers Get Raises

Bracewell LLP is slimming the ranks of its support staff, a firm representative confirmed on Wednesday, the same week that the firm announced a sizable hike in associate salaries to meet the new scale set by Cravath Swaine & Moore LLP.

### 5 More Firms Adopt Cravath Salary Scale

Five more law firms have announced an increase in associate salaries after Cravath Swaine & Moore LLP set a new benchmark last week and they join more than 50 other firms that also boosted their salaries.

### K&L Gates Launches Partner Program In Wake Of Departures

K&L Gates LLP announced a new firmwide program aimed at alleviating the uncertainty that current income partners may feel about the path to full equity partnership following months of partner defections.

### Atty Convicted For Attack On Law Firm Boss And His Wife

A Virginia lawyer could face life in prison after a jury found him guilty on Tuesday of taking the former managing shareholder of Virginia law firm Bean Kinney & Korman PC and his wife hostage in their home, the Fairfax County prosecutor's office said Wednesday.

### Harvard Grad Who Lost Ropes & Gray Gig Sues Over Bar Exam

A Harvard Law School graduate who lost her job at Ropes & Gray LLP after twice failing the bar exam has sued the New York State Board of Law Examiners for refusing to accommodate her anxiety-related disabilities until it was too late.

### Womble Carlyle Inks Strategic Partnership With UK Firm

North Carolina-headquartered Womble Carlyle Sandridge & Rice LLP has entered into an overseas strategic partnership with midmarket U.K. firm Bond Dickinson LLP, in which the two law firms will refer clients and drum up business for one another, the firms said Wednesday.

### 4 Practice Areas Where Philly Firms Are Hiring

Philadelphia may be a mature legal market, but there's still a demand for lawyers in certain key areas. If you're looking for a change of scenery, here are four practice areas where firms in the City of Brotherly Love are hiring.

## JOBS

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## LAW FIRMS

[Akin Gump](#)

[Mayer Brown](#)

[Arnold & Porter](#)

[Bracewell LLP](#)

Cravath Swaine  
DLA Piper  
Gibson Dunn  
Jenner & Block  
Morgan Lewis  
Paul Hastings  
Reed Smith  
Ropes & Gray  
Wilson Sonsini  
Winthrop & Weinstine  
Arent Fox  
Baker & McKenzie  
Bean Kinney  
Beeson Tayer  
Bergeson & Campbell  
Boies Schiller  
Brann & Isaacson  
Choate  
Covington & Burling  
Cozen O'Connor  
Davis Wright Tremaine  
Dechert  
Drinker Biddle  
Earthjustice  
Fried Frank  
Frost Brown Todd  
Goodwin Procter  
Holland & Hart  
Hughes Hubbard  
Hunton & Williams  
Jeffer Mangels  
K&L Gates  
Kaplan Voekler  
Kelley Drye  
King & Wood Mallesons  
Kramer Levin  
Locke Lord  
Morrison & Foerster  
NSIP Law  
Orrick Herrington  
Polsinelli  
Priddy Cutler  
Rivkin Radler  
Robbins Russell  
Schiff Hardin  
Schulte Roth  
Sedgwick LLP  
Seyfarth Shaw  
Shayne Dachs  
Sheppard Mullin  
Simpson Thacher  
Steptoe & Johnson LLP

Sterne Kessler  
Stoel Rives  
Venable LLP  
White & Case  
Winston & Strawn  
Womble Carlyle

## COMPANIES

America Fujikura Ltd.  
American Federation of Labor and Congress of Industrial Organizations  
Comcast Corporation  
Google Inc.  
International Brotherhood of Teamsters  
Microsoft Corporation  
National Retail Federation Inc.  
U.S. Chamber of Commerce  
AT&T Inc.  
Aetna Inc.  
Airbnb Inc.  
American Bar Association  
American Cable Association  
American Hospital Association  
American Immigration Lawyers Association  
American Medical Association Inc.  
American Petroleum Institute Inc.  
Berkshire Hathaway Inc.  
California Independent System Operator  
Calpine Corporation  
CenturyLink Inc.  
Cisco Systems Inc.  
Crocs Inc.  
DraftKings Inc.  
FanDuel Inc.  
HomeAway Inc.  
IP Owners Association  
Level 3 Communications Inc.  
Morgan Stanley  
NASDAQ OMX Group Inc.  
Netflix Inc.  
Newegg Inc.  
Overstock.com Inc.  
PacifiCorp  
PepsiCo Inc.  
Public Knowledge  
RCN Corp.  
Retail Litigation Center Inc.  
SeaWorld Entertainment Inc.  
Stryker Corporation  
United Auto Workers  
United States Telecom Association  
Zayo Group Holdings Inc.



## GOVERNMENT AGENCIES

U.S. Supreme Court  
Federal Communications Commission  
Federal Energy Regulatory Commission  
U.S. Department of Justice  
Bureau of Land Management  
Federal Bureau of Investigation  
Food and Drug Administration  
Government Accountability Office  
National Labor Relations Board  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
Bureau of Indian Affairs  
Bureau of Labor Statistics  
Centers for Disease Control and Prevention  
European Commission  
Executive Office of the President  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Fish and Wildlife Service  
Internal Revenue Service  
International Trade Commission  
National Aeronautics and Space Administration  
National Security Agency  
Occupational Safety and Health Administration  
Securities and Exchange Commission  
Small Business Administration  
Surface Transportation Board  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of the Interior  
U.S. Patent and Trademark Office

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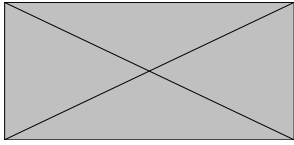
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 11/20/2017 9:08:18 AM  
**Subject:** Trump Adds 5 Names To Supreme Court Potential List



**PUBLIC POLICY.**

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**Monday, November 20, 2017**

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## TOP NEWS

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### Trump Adds 5 Names To Supreme Court Potential List

President Donald J. Trump announced on Friday the addition of five new names to the list of judges that he will draw upon to fill a potential vacancy in the U.S. Supreme Court. [Read more »](#)

### 4 New US Atty Nominees Come From Prosecutors' Ranks

The Trump administration announced nominees to fill four of the outstanding U.S. attorney vacancies on Friday, picking county attorneys in Nebraska and New Hampshire and inviting the federal prosecutors currently leading the Delaware and Oregon offices to stay. [Read more »](#)

### Sessions Halts DOJ Guidance That Creates New Rules

Attorney General Jeff Sessions has ordered the Department of Justice to stop creating new rules through guidance documents and instead follow the normal regulatory process, he said Friday, an issue that has grated on compliance professionals. [Read more »](#)

#### Analysis

### Open Questions Surrounding The Next-Gen TV Standard

The Federal Communications Commission voted Thursday to allow broadcasters to begin using the new internet protocol-based television standard, but the immediate impacts of voluntarily adopting ATSC 3.0 still remain clouded. Here, Law360 gets experts' take on 3 open questions surrounding the advent of ATSC 3.0. [Read more »](#)

### 15 States Tell 4th Circ. Travel Ban 'Imperiling' Industries

Fifteen states and the District of Columbia urged the Fourth Circuit to preserve a Maryland federal court's block on President Donald Trump's travel ban preventing nationals of several predominantly Muslim countries from entering the U.S., saying the restrictions hurt tourism and recruitment of international talent. [Read more »](#)

## BANKING & SECURITIES

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#### Analysis

### Noreika's Brief OCC Term Began Bank Rule Transformation

Acting directors of federal agencies typically keep a low profile, managing an organization until a full-time agency head can get Senate confirmation. That has not been the case with Keith Noreika, the outgoing acting comptroller of the currency, who in the span of roughly six months led the Trump administration's charge to fundamentally shift the regulatory environment for banks. [Read more »](#)

### Treasury Advises FSOC Take 'New Approach' To Nonbanks

The U.S. Department of the Treasury on Friday called for the Financial Stability Oversight Council to take a "new approach" to safeguarding the financial system,

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## LAW FIRMS

Akin Gump  
Arnold & Porter Kaye Scholer  
BakerHostetler  
Baron & Budd  
Boies Schiller  
Bond Dickinson  
Bradley Arant  
Broad and Cassel  
Buckley Sandler  
Carlton Fields  
Carter Wolden  
Covington & Burling  
Davis Wright Tremaine  
Dewey & LeBoeuf  
Duane Morris  
Fletcher Heald  
Gibson Dunn  
Golomb & Honik  
Gordon & Rees  
GrayRobinson  
Greenberg Traurig  
Haynes and Boone  
Hogan Lovells  
Hopping Green  
Hughes Hubbard  
Hunton & Williams  
Husch Blackwell  
Ifrah Law  
Jones Day  
Katten Muchin  
Kirkland & Ellis  
Milbank Tweed  
Morgan Lewis  
Nixon Peabody

CLV000036

urging the Dodd-Frank Act-created panel to shift away from tagging nonbank financial firms for tougher regulatory scrutiny and instead take an industrywide view that looks at particular products and activities. [Read more »](#)

### **DA's Deal With Law Firms Is Illegal, Skeptical 9th Circ. Told**

A bank argued Friday that Baron & Budd PC, Carter Wolden Curtis LLP and Golomb & Honik PC couldn't legally prosecute, on behalf of a district attorney, allegations it tricked customers into buying credit card protection plans, prompting a Ninth Circuit panel to note that private individuals prosecute public matters all the time. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

### **10 Questions For The EPA's Bill Wehrum**

The U.S. Environmental Protection Agency's new air chief Bill Wehrum won't just be helping the Trump administration roll back Obama-era rules like the Clean Power Plan, he'll also be taking a close look at the agency's 2009 carbon dioxide endangerment finding and its New Source Review permitting program, he told Law360 in an exclusive interview. [Read more »](#)

### **\$200B San Diego Transpo Plan Still Inadequate On Appeal**

A split California appeals court ruled Thursday that a San Diego regional planning agency failed to properly analyze greenhouse gas reduction and assess public health risks in a 2011 review of a \$200 billion long-term transportation plan. [Read more »](#)

### **Wash. Reps Float Bill To Speed Up DOI Water Project Reviews**

Two Republican lawmakers introduced a bill Thursday meant to speed up the environmental planning and review of water projects by two U.S. Department of the Interior agencies and to advance a specific water management project for the Yakima River in Washington state. [Read more »](#)

## **HEALTH & LIFE SCIENCES**

### **Providers' Challenge To La. Abortion Law Can Proceed**

A Louisiana federal judge has trimmed slightly a suit by abortion providers against seven new state laws designed to discourage the procedure, finding the plaintiffs can lodge equal protection and undue burden claims against most of the measures but lacked standing on one. [Read more »](#)

### **Abortion Foes Tell 9th Circ. Free Speech Trumps Tape Suit**

Planned Parenthood failed to properly fight off a free speech challenge to its suit over secretly recorded videos purporting to show the improper sale of fetal tissue, anti-abortion activists told a Ninth Circuit panel Friday, saying a lower court erred in finding in favor of the health care provider. [Read more »](#)

### **Children's Health Org Backs Hospitals In 1st Circ. CMS Row**

The Children's Hospital Association urged the First Circuit on Thursday to uphold several New Hampshire hospitals' win in a dispute over the alteration of a Centers for Medicare & Medicaid Services reimbursement policy, saying a reversal would have "far-reaching and harmful impacts" to children's health organizations. [Read more »](#)

## **IP & TECHNOLOGY**

### **Fed. Circ.'s Judge Lourie Defends Court's Patent Purview**

The Federal Circuit's recent rash of reversals at the U.S. Supreme Court isn't cause for worry, according to Federal Circuit Judge Alan D. Lourie, who said Friday they're a sign of reasonable differences in high-stakes cases. [Read more »](#)

Norton Rose Fulbright  
Nossaman LLP  
Pepper Hamilton  
Pillsbury Winthrop  
Quinn Emanuel  
Reed Smith  
Riley Safer  
Rittenberg Samuel  
Rosenn Jenkins  
Scarinci Hollenbeck  
Shute Mihaly  
Sidley Austin  
Simpson Thacher  
Skadden  
Sohagi Law Group  
Squire Patton Boggs  
Thompson Coburn  
Weinheimer Haber  
White and Williams  
Wiley Rein  
WilmerHale

## **COMPANIES**

Akamai Technologies, Inc.  
Alliance Data Systems Corporation  
Altman Weil Inc.  
American Bar Association  
American Cable Association  
American Civil Liberties Union  
American International Group Inc.  
Angie's List Inc.  
Association of American Railroads  
BuzzFeed Inc.  
Cato Institute  
Center for Biological Diversity Inc.  
Charter Communications Inc.  
Citigroup Inc.  
Cook Group Inc.  
DePuy Synthes Cos.  
Deloitte Touche  
Discover Financial Services  
Drucker & Scaccetti PC  
Eli Lilly and Company  
Equifax Inc.  
Ernst & Young  
Facebook  
Fannie Mae  
Federalist Society  
Fortress Investment Group LLC  
Freddie Mac  
General Electric Capital Corp.

CLV000037

## TRANSPORTATION & INFRASTRUCTURE

### Amtrak Asks High Court To Revive STB On-Time Train Rule

Amtrak has asked the U.S. Supreme Court to determine whether the Surface Transportation Board has authority to define an “on-time” passenger train when investigating railroads for delays, saying a recent void in the law jeopardizes Amtrak’s longstanding right of way over cargo traffic on railways. [Read more »](#)

## EMPLOYMENT

### NJ Court Revives Fired Worker's Mayoral 'Hit List' Suit

The New Jersey Appellate Division on Friday revived a former school employee's suit alleging that she was on a town mayor's so-called hit list and fired in retaliation for not lending him political support, ruling that she presented sufficient evidence to go before a jury. [Read more »](#)

### NLRB Union Election Filings Drop, But Cases Moving Briskly

During the second full fiscal year after the National Labor Relations Board implemented a controversial rule updating the process for union representation cases, fewer union election petitions were filed than the year before, and elections were conducted more quickly than before the regulation was in place, according to data the agency has released. [Read more »](#)

## COMPETITION

### FCC ‘Strayed Too Far’ From Merger Role, New Commish Says

The Federal Communications Commission “strayed too far” from its proper role in merger reviews in recent years, the newest Republican member of the agency said Friday, criticizing the last administration for making consumer “goodies” a condition of various telecom deals. [Read more »](#)

## PRIVACY & CYBERSECURITY

### House Committee Presses Equifax For More Breach Details

House Energy and Commerce Committee leaders on Friday dialed up the heat on Equifax over a massive data breach that compromised 145.5 million Americans' personal and financial records, demanding more answers to questions related to the software vulnerability that was exploited, the credit bureau's response to the incident and a potential second compromise in mid-October. [Read more »](#)

## AEROSPACE & DEFENSE

### House Dems Want Trump To Reverse DOD Afghan Secrecy Policy

A pair of senior House Democrats urged President Donald Trump Friday to reverse a U.S. Department of Defense policy to classify previously public information on the performance and strength of Afghanistan’s armed forces, saying it will harm the ability of Congress to properly oversee U.S. operations in Afghanistan. [Read more »](#)

## INTERNATIONAL TRADE

### In Unusual Move, US Releases 'Updated' NAFTA Goals

The Trump administration on Friday took the unorthodox step of updating its goals for renegotiating the North American Free Trade Agreement just as talks with Canada and Mexico have begun to hit a rough patch, saving some of its most ambitious changes for the agreement’s investment arbitration section. [Read more »](#)

Google Inc.  
H. J. Heinz Company  
HRC Investors Corp.  
Instagram Inc.  
International Brotherhood of Teamsters  
Johnson & Johnson  
Kraft Foods Inc.  
Limelight Networks, Inc.  
Los Angeles Times  
National Air Transportation Association  
National Immigration Law Center  
National Right to Work Legal Defense Foundation  
New York Times Co.  
OneWest Bank Group LLC  
Planned Parenthood Federation  
PricewaterhouseCoopers  
Prudential Financial Inc.  
Resolution Economics LLC  
Retrophin Inc.  
Salesforce.com Inc.  
Service Employees International Union  
Sierra Club  
Snap Inc.  
State Farm  
Stout Risius Ross LLC  
Texas Children's Hospital  
The Siegfried Group  
Time Warner Inc.  
Twitter Inc.  
Union Pacific Corporation  
Verizon Communications  
Wilmington Trust Corp.  
Xerox Corporation

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Indian Affairs  
Bureau of Reclamation  
Centers for Medicare & Medicaid Services  
Committee on Foreign Investment in the United States  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Department of Commerce  
Equal Employment Opportunity Commission  
European Commission

CLV000038

## Commerce Says Pipe Co. Same As One Eyed In Dumping

The U.S. Department of Commerce announced Friday that it has preliminarily determined that a Mexican pipe manufacturer is the successor to a previous company that it is monitoring for dumping activity related to rectangular pipes and tubes. [Read more »](#)

## ITC Will Examine African Trade As US Eyes Expansion

The U.S. International Trade Commission said Friday it's launching an investigation into the nation's trade relationships in sub-Saharan Africa, examining growth in U.S. imports and exports and assessing the continent's noncrude petroleum and other possible markets for trade. [Read more »](#)

## Chile, EU Initiate Talks To Update Relations, Expand Trade

Chile and the European Union have formally initiated negotiations to modernize their Association Agreement in an effort to expand bilateral relations and collaborate in additional areas, the European Commission announced on Thursday. [Read more »](#)

## TAX

### Analysis

## Tax Bill's Ambiguity Increases Investors' Litigation Risk

The tax bill that recently passed the U.S. House of Representatives is missing key definitions and contains ambiguous terms relating to the use of so-called carried interest in the asset management business, which could result in investors taking risky positions on their tax returns to seek clarification from the courts. [Read more »](#)

## Senate Tax Bill Amendments Include Whistleblower Incentives

Sen. Orrin Hatch, R-Utah, on Thursday night offered last-minute amendments to the GOP tax bill that included tax deductions and potentially larger awards for whistleblower claims. [Read more »](#)

## Industry Defends Senate Tax Bill's Private Jet Fee Exemption

Aviation industry groups are defending a new provision affecting private aircraft management firms in the Senate GOP tax reform bill. [Read more »](#)

## Philly Wants Suits Against Property Revaluation Plan Tossed

The city of Philadelphia asked a state court judge on Thursday to toss two lawsuits challenging its effort to raise \$118 million in new tax revenue through targeted property revaluations, saying the petitioners were first obligated to appeal their new assessments. [Read more »](#)

## High Court Asked To Review Attorney Fee Denial In Tax Case

A taxpayer petitioned the U.S. Supreme Court to review a Fourth Circuit decision upholding a district court's rejection of his motion to recover nearly \$600,000 in attorneys' fees, even though he prevailed on the merits of the underlying case. [Read more »](#)

## IMMIGRATION

## Judge Won't Rethink Injunction In Sanctuary City Funds Row

An Illinois federal judge on Thursday shot down Chicago's bid to reconsider an order that partially denied the city's request for an injunction against anti-sanctuary city conditions for certain grants, unmoved by a new letter to a city official from the U.S. Department of Justice. [Read more »](#)

## Dems Ask Trump DHS Pick To Address Immigration Concerns

Senate Minority Whip Dick Durbin, D-Ill., ranking member of the immigration subcommittee, and 19 other Senate Democrats sent a letter Thursday to Secretary of Homeland Security nominee Kirstjen Nielsen asking if she'd advocate for legislation that protects young immigrants living in the country illegally from

European Union  
Executive Office of the President  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Railroad Administration  
Federal Reserve Bank of New York  
Federal Reserve System  
Financial Stability Oversight Council  
Internal Revenue Service  
International Trade Commission  
Judicial Conference of the United States  
NAFTA  
NATO  
National Labor Relations Board  
National Railroad Passenger Corporation  
National Security Agency  
New Hampshire Department of Health & Human Services  
New Jersey Department of Education  
New York Attorney General's Office  
Office of the Comptroller of the Currency  
Ohio Supreme Court  
Securities and Exchange Commission  
Special Inspector General for Afghanistan Reconstruction  
Surface Transportation Board  
Transportation Security Administration  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House Committee on Energy and Commerce  
U.S. House of Representatives  
U.S. Postal Service  
U.S. Senate  
U.S. Supreme Court



deportation. [Read more »](#)

## TELECOMMUNICATIONS

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### FCC Nixes 'Excessive' Regulation In Fiber Transition

Federal Communications Commission Chairman Ajit Pai and the commission's Republican majority voted Thursday to accelerate the country's shift from a copper data network to fiber optics, saying unneeded regulations deter many companies from investing in these new networks. [Read more »](#)

## PEOPLE

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### Ohio Justice's 'Crass' Boasts Of Sexual Trysts Slammed

An Ohio Supreme Court justice who is running for governor added fuel to the fiery national debate about sexual harassment when he boasted Friday that he has had sex with about 50 "very attractive females," remarks that a top state official called crass, ill-timed and "dismissive at best." [Read more »](#)

## EXPERT ANALYSIS

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### The Conspiracy And FBAR Charges Against Manafort, Gates

The charges against Paul Manafort and Richard Gates differ in significant respects from similar cases where the government has charged a Klein conspiracy as well as a willful failure to file reports of foreign bank and financial accounts, says Robert Adler of Nossaman LLP. [Read more »](#)

### From Snaps To Tweets: The Craft Of Social Media Discovery

Courts have consistently held that social media accounts are subject to established discovery principles but are reluctant to allow parties to rummage through private social media accounts. Recent case law confirms that narrowly tailored information requests get the best results, say Matthew Hamilton, Donna Fisher and Jessica Bae of Pepper Hamilton LLP. [Read more »](#)

## LEGAL INDUSTRY

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### Analysis

#### Ex-Weinstein Attys Muddy BigLaw's Rep For Keeping Secrets

Defying the tight-lipped tradition of lawyers who have represented reviled clients, two of Harvey Weinstein's former attorneys have issued public explanations of their work and spoken extensively to the press about their "mistakes," a phenomenon some experts say undermines public confidence that lawyers, regardless of their own reputations, will keep client matters close. [Read more »](#)

#### 'Long Siege' For Ex-Dewey Controller Ends With No Jail

The former controller at Dewey & LeBoeuf LLP saw the end to what his attorney called a "long and arduous siege" on Friday when he was sentenced to 100 hours of community service after cooperating in the prosecution of his ex-colleagues for more than three years. [Read more »](#)

#### Fla. Judicial Panel Offers Sens. 4 Names For District Seat

The commission tasked with screening candidates for federal judgeships in Florida sent four names — two trial court judges and two appellate judges — to the state's U.S. senators for a vacancy in the Northern District of Florida. [Read more »](#)

#### GC Cheat Sheet: The Hottest Corporate News Of The Week

The U.S. Supreme Court turned away four notable employment cases, a study found more legal departments are looking to grow their outside counsel spending next year, and Kraft Heinz Co.'s GC told Law360 about the changing food industry. These are some of the top stories in corporate legal news you may have missed last

week. [Read more »](#)

#### Podcast

### Law360's Pro Say: GOP Goes To War With ABA Over Judges

On the latest episode of Law360's Pro Say podcast, the team discusses the escalating war of words between Republicans and the American Bar Association over how judicial nominees are vetted. We also tackle a BigLaw attorney in hot water after her comments about sexual harassment on Fox News, the Menendez corruption trial ending in a hung jury, and some unusual facts about one of President Donald Trump's judicial picks. [Read more »](#)

### In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

#### Series

### My Strangest Day In Court: Arguing From The Gallery

Appellate lawyers are usually silent observers at trial who collaborate on legal strategy, conduct research during court breaks, and craft jury instructions, verdict forms and major motions. But as I discovered in one trial, this is not always the case, says M.C. Sungaila of Haynes and Boone LLP. [Read more »](#)

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Jones Day  
Katten Muchin  
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Nixon Peabody  
Norton Rose Fulbright  
Nossaman LLP  
Pepper Hamilton  
Pillsbury Winthrop  
Quinn Emanuel  
Reed Smith  
Riley Safer  
Rittenberg Samuel  
Rosenn Jenkins  
Scarinci Hollenbeck  
Shute Mihalý  
Sidley Austin  
Simpson Thacher  
Skadden  
Sohagi Law Group  
Squire Patton Boggs  
Thompson Coburn  
Weinheimer Haber  
Wiley Rein

#### COMPANIES

Twitter Inc.  
American Bar Association  
Facebook  
Kraft Foods Inc.  
New York Times Co.  
Akamai Technologies, Inc.  
Alliance Data Systems Corporation  
Altman Weil Inc.  
American Cable Association  
American Civil Liberties Union  
American International Group Inc.  
Angie's List Inc.  
Association of American Railroads  
BuzzFeed Inc.  
Cato Institute  
Center for Biological Diversity Inc.  
Charter Communications Inc.  
Citigroup Inc.  
Cook Group Inc.  
DePuy Synthes Cos.  
Deloitte Touche  
Discover Financial Services  
Drucker & Scaccetti PC

Eli Lilly and Company  
Equifax Inc.  
Ernst & Young  
Fannie Mae  
Federalist Society  
Fortress Investment Group LLC  
Freddie Mac  
General Electric Capital Corp.  
Google Inc.  
H. J. Heinz Company  
HRC Investors Corp.  
Instagram Inc.  
International Brotherhood of Teamsters  
Johnson & Johnson  
Limelight Networks, Inc.  
Los Angeles Times  
National Air Transportation Association  
National Immigration Law Center  
National Right to Work Legal Defense Foundation  
OneWest Bank Group LLC  
Planned Parenthood Federation  
PricewaterhouseCoopers  
Prudential Financial Inc.  
Resolution Economics LLC  
Retrophin Inc.  
Salesforce.com Inc.  
Service Employees International Union  
Sierra Club  
Snap Inc.  
State Farm  
Stout Risius Ross LLC  
Texas Children's Hospital  
The Siegfried Group  
Time Warner Inc.  
Union Pacific Corporation  
Verizon Communications  
Wilmington Trust Corp.  
Xerox Corporation

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Internal Revenue Service  
U.S. Department of the Treasury  
Federal Communications Commission  
Securities and Exchange Commission  
NAFTA  
National Labor Relations Board  
U.S. Department of Health and Human Services  
U.S. House of Representatives  
U.S. Senate

Army Corps of Engineers  
Bureau of Indian Affairs  
Bureau of Reclamation  
Centers for Medicare & Medicaid Services  
Committee on Foreign Investment in the United States  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Department of Commerce  
Equal Employment Opportunity Commission  
European Commission  
European Union  
Executive Office of the President  
Federal Deposit Insurance Corp.  
Federal Railroad Administration  
Federal Reserve Bank of New York  
Federal Reserve System  
Financial Stability Oversight Council  
International Trade Commission  
Judicial Conference of the United States  
NATO  
National Railroad Passenger Corporation  
National Security Agency  
New Hampshire Department of Health & Human Services  
New Jersey Department of Education  
New York Attorney General's Office  
Office of the Comptroller of the Currency  
Ohio Supreme Court  
Special Inspector General for Afghanistan Reconstruction  
Surface Transportation Board  
Transportation Security Administration  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. House Committee on Energy and Commerce  
U.S. Postal Service

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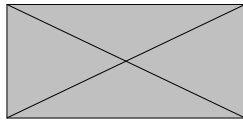
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CLV000044

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 9/13/2016 8:32:21 AM  
**Subject:** [Marketing Mail] Even After Iran Deal, Foreign Cos. Still Fear US Sanctions



**PUBLIC POLICY**

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**Tuesday, September 13, 2016**

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## TOP NEWS

### Even After Iran Deal, Foreign Cos. Still Fear US Sanctions

Non-U.S. companies were supposed to be the biggest winners of the historic Iran nuclear accord, which erased the stringent sanctions on foreign entities' dealings with the embattled nation, but those companies still face numerous compliance headaches that threaten to pull them back under the U.S. sanctions umbrella.

### Feds Eye Settling Insurers' ACA Suits To Stabilize Markets

The Obama administration is opening the door to settling numerous lawsuits with health insurers seeking billions of dollars in unpaid Affordable Care Act obligations, which would give the administration a path around Republicans' block on the market-stabilization spending.

### DOE, DOI Release Plan To Grow Offshore Wind Power In US

The U.S. departments of Energy and Interior on Friday unveiled a collaborative plan to coax further development of offshore wind power, claiming steps taken to lower project development and electricity costs could result in as much as 86 gigawatts of U.S. offshore wind power by the year 2050.

### GOP Rep. Goodlatte Pushes For EB-5 Reform Bill

House Judiciary Committee Chairman Bob Goodlatte, R-Va., on Monday introduced a bill to reform and reauthorize the soon-to-expire EB-5 Regional Center Program that would extend the program for five years and raise the minimum amount required from investors from \$500,000 to \$800,000, among other changes.

### Justice Ginsburg Seeks SEC Response To Tilton's Stay Bid

U.S. Supreme Court Justice Ruth Bader Ginsburg has asked the government to respond to private equity magnate Lynn Tilton's application for a stay of a U.S. Securities and Exchange Commission proceeding against her and her firm, while she continues a quest to challenge the agency's in-house court.

### Is It OK To Cuff An Inmate In Labor? 9th Circ. Says Maybe

The Ninth Circuit said Monday that only jurors can decide on a case-by-case basis whether the U.S. Constitution allows law enforcement officers to restrain a female inmate while she is pregnant, in labor or during postpartum recovery.

### SEC Urged To Protect Investors From Corporate Tax Dodging

An advocacy group composed of businesses and investors is urging the U.S. Securities and Exchange Commission to implement stricter disclosure standards, saying in a Monday report that investors are facing increasing risks posed by secretive offshore tax avoidance practices.

## ANALYSIS

### The AIA At 5: A New World Of Patent Challenges

## LAW FIRMS

Akin Gump  
Baker & McKenzie  
Baker Botts  
Ballard Spahr  
Bancroft PLLC  
Bienstock & Michael  
Bredhoff & Kaiser  
Brune Law PC  
Bryan Cave  
Bull Housser  
Butler Rubin  
Cleary Gottlieb  
Crowell & Moring  
Curtin & Heefner  
Day Pitney  
Earthjustice  
Fitzpatrick Cella  
Fletcher Heald  
Fredericks Peebles  
Freeborn & Peters  
Fried Frank  
Gibson Dunn  
Gray & Associates  
Greenberg Traurig  
Hogan Lovells  
Holland & Hart  
Holland & Knight  
Jones Skelton  
Karnopp Petersen LLP  
King & Spalding  
Kirkland & Ellis  
Latham & Watkins  
Littler Mendelson  
Locke Lord  
Marashlian & Donahue  
Marshall Gerstein  
Mayer Brown  
McCarter & English  
Morgan Lewis

CLV000045

Five years ago this week, the America Invents Act became law, overhauling procedures for applying for patents, challenging their validity and litigating them in court. In a three-part series over the coming days, attorneys reflect on how the law has changed the patent landscape, beginning with AIA reviews, which have become more crucial than just about anyone expected.

### 3 Legal Attacks The Cross-State Air Pollution Rule May Face

The U.S. Environmental Protection Agency has bragged that its revised cross-state air pollution rule will help cut summertime nitrogen oxide emissions from power plants by 20 percent over last year's levels, but the rule — which has already been up to the U.S. Supreme Court once — is likely not out of the legal woods yet, experts say. Here, Law360 identifies three parts of the rule that could spark legal challenges from environmental groups, states and industry parties.

### FCC Faces Uncertain Success In Second Round Of Auction

The second stage of the Federal Communications Commission's experimental incentive auction kicks off Tuesday after the agency was forced to lower its goal of how much spectrum it aims to clear, and experts say closing the gap between supply and demand could drag on for months.

## BANKING & SECURITIES

### Chamber Calls For Financial Stability Board Restructuring

The U.S. Chamber of Commerce on Monday called on global governments to radically restructure the Financial Stability Board, an international panel of financial regulators, in the latest salvo fired against the internationalization of financial rule-making.

### SE Asian Capital Market Regulators Push Bond Market Growth

Capital markets regulators with the Association of Southeast Asian Nations said Friday they have agreed to intensify efforts to promote regional asset classes, beginning with a regulatory program focused on developing domestic bond markets.

### SEC Wants Firms To Watch Reps With Troubled Pasts

The U.S. Securities and Exchange Commission announced Monday that it is launching exams to test the compliance oversight and controls of investment advisers that hire individuals with a disciplinary history.

### FINRA's Capital Acquisition Broker Rules Face Tough Sell

Under newly approved Financial Industry Regulatory Authority rules, brokerages that engage in limited activity, such as advising certain private placements or private mergers and acquisitions, can benefit from lighter regulation, but attorneys doubt the relief goes far enough to make a splash.

## ENERGY & ENVIRONMENTAL

### Senate's \$9.4B Water Resources Bill Clears Hurdle

The Senate pushed a bill Monday to authorize more than \$9.4 billion in water infrastructure projects, including harbor dredging and aid for lead-contaminated water in Flint, Michigan, after the measure cleared a procedural hurdle.

### Enviros Can Intervene In Del. River Fracking Suit

The Delaware Riverkeeper Network can intervene in a lawsuit brought by a landowner challenging the Delaware River Basin Commission's fracking moratorium and refusal to approve an exploratory natural gas well, a Pennsylvania federal judge said Monday.

### Feds Reach Deal To Protect Sea Turtles From Shrimpers

A D.C. federal judge on Friday stayed a lawsuit filed by a conservation group accusing the U.S. Department of Commerce of not doing enough to protect

Norton Rose Fulbright  
Nossaman LLP  
Paul Hastings  
Paul Weiss  
Quarles & Brady  
Quinn Emanuel  
Ropes & Gray  
Scarinci Hollenbeck  
Schulte Roth  
Schwartz Simon  
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Sidley Austin  
Simpson Thacher  
Skadden  
Squire Patton Boggs  
Sterne Kessler  
Sutherland Asbill  
Venable LLP  
Winston & Strawn

## COMPANIES

21st Century Fox Inc.  
A&E Television Networks LLC  
AAR Corporation  
ActionAid  
Allergan PLC  
Altera Corporation  
America Fujikura Ltd.  
American Federation of Labor and Congress of Industrial Organizations  
Apple Inc.  
Assisted Living Concepts, Inc.  
Association of American Railroads  
BlueCross BlueShield of North Carolina  
CBS Corporation  
CIGNA Corporation  
CTIA  
Center for Biological Diversity Inc.  
Delaware Riverkeeper Network  
Enbridge  
Facebook  
Financial Industry Regulatory Authority Inc.  
Google Inc.  
Highmark Inc.  
Hobby Lobby Stores  
Humana Inc.  
ICx Technologies, Inc.  
IP Owners Association  
Immigration Reform Law Institute  
International Business Machines

CLV000046

endangered sea turtles from shrimp fishing operations off the southeastern U.S. coast, after the government agreed to propose a rule to help fix the problem.

## MEDIA & ENTERTAINMENT

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### House Passes Online Ticket Sales, Review Protection Bills

The U.S. House of Representatives on Monday set new targets for the Federal Trade Commission, passing bills that put in the agency's crosshairs entities that use "bots" to buy online tickets for resale en masse and those that use consumer agreements to stifle online reviews.

### Congress Planning On Patent, Copyright Changes, Rep. Says

While legislation targeting abusive patent litigation has stalled in the current Congress, lawmakers plan to revive the effort after the November election while also pushing forward on legislation to amend copyright law, Rep. Hakeem Jeffries, D-N.Y., said Monday.

## TRANSPORTATION & INFRASTRUCTURE

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### DC Circ. Declines To Reconsider Amtrak Due Process Ruling

The D.C. Circuit on Friday refused to reconsider its recent ruling that a federal law allowing Amtrak to set performance and scheduling standards along the nation's passenger railways violated the due process rights of freight railroads using the same tracks.

### Enviros, EPA Move To Dismiss Suit Over Aircraft Emissions

Environmental groups and the U.S. Environmental Protection Agency asked a federal judge on Friday to toss a lawsuit the groups brought to force the agency to promulgate long-awaited carbon emissions standards for aircraft, less than two months after the EPA's final finding that greenhouse gas emissions from aircraft are harmful to humans.

### GWB Scandal Figure Fights Claim He Wanted To Impress Gov.

A former public official preparing to go on trial over the George Washington Bridge lane closures urged a New Jersey federal court Sunday to exclude evidence that he sought to curry favor with Gov. Chris Christie by punishing a local mayor, claiming that prosecutors presented the theory only last month.

## EMPLOYMENT

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### Builders Ask 1st Circ. To Limit Mass. Sick Pay Law

Massachusetts building trade groups asked a First Circuit panel Monday to limit the commonwealth's new paid sick time law, arguing that federal law preempts state-based wage claims for union workers under collective bargaining agreements.

### Feds Seek To Clarify Scope Of Transgender Bathroom Ruling

The federal government asked a Texas federal judge on Monday to clarify the scope of a ruling that blocked the Obama administration from enforcing new transgender bathroom rules, including whether the ban should apply nationwide.

### 3rd Circ. Revives Preemption Fight Over Jersey City Tax Law

The Third Circuit revived a federal preemption challenge Monday brought against Jersey City, New Jersey, over an ordinance requiring developers seeking tax breaks to observe certain labor practices, finding that because the city lacks a proprietary interest in tax-abated projects, it enforces its rules as a regulator, not a market participant.

## COMPETITION

Corporation  
KPMG International  
Kirkland's, Inc.  
MSCI, Inc.  
NFL Enterprises LLC  
National Association of Broadcasters  
National Railroad Passenger Corporation  
New England Patriots  
Oceana Inc.  
Pfizer Inc.  
Planned Parenthood Federation  
PricewaterhouseCoopers  
Public Company Accounting Oversight Board  
Royal Dutch Shell PLC  
SLM Corporation  
Sierra Club  
Talen Energy Corp.  
The Boeing Company  
The Walt Disney Company  
Time Warner Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Univision Communications Inc.  
Viacom Inc.  
Zeughauser Group LLC

## GOVERNMENT AGENCIES

Agency for Healthcare Research and Quality  
Army Corps of Engineers  
Bureau of Labor Statistics  
Centers for Medicare & Medicaid Services  
Cheyenne River Sioux Tribe  
Commodity Futures Trading Commission  
Council on Environmental Quality  
Delaware River Basin Commission  
Department of Commerce  
Equal Employment Opportunity Commission  
European Commission  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Emergency Management Agency  
Federal Railroad Administration

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## Gov't Witness In Fattah Case Gets 4 Years' Probation

A onetime adviser to former U.S. Rep. Chaka Fattah, D-Pa., who testified as a government witness in the corruption case against the ex-congressman and others, was sentenced to four years of probation on Friday for helping arrange an illegal contribution for Fattah's 2007 Philadelphia mayoral campaign, the U.S. Attorney's office confirmed on Monday.

## GOVERNMENT CONTRACTS

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## GSA Expands Cybersecurity Options For Gov't Agencies

The General Services Administration on Monday formally rolled out its expansion to its information technology schedule to give federal agencies more options to purchase cybersecurity services, part of a broader federal cybersecurity action plan.

## Senate Could Vote On Stopgap Funding This Week

The Senate could vote on a measure this week to keep the government funded into December, after Majority Leader Mitch McConnell, R-Ky., filed a motion for short-term funding that would keep general funding flat along with measures for veteran care and to combat the spread of the Zika virus.

## INTERNATIONAL TRADE

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## India Moves To Sink US Green Energy Initiatives At WTO

India's tussle with the U.S. over clean energy policy at the World Trade Organization has grown more acrimonious as New Delhi filed a dispute over subsidies and local content requirements in eight U.S. states, alleging that the programs have flouted international rules, the WTO said Monday.

## TAX

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## Altera Says Tax Court Rightly Nixed IRS Cost-Sharing Rule

Chipmaker Altera Corp. hit back against the Internal Revenue Service's bid to resurrect its court-invalidated rule regarding stock-based compensation in cost-sharing agreements, telling the Ninth Circuit late Friday that the U.S. Tax Court was right to conclude the agency had defied reasonable decision-making.

## NJ Lawmakers Advance Bill To Fight Corporate Inversions

A New Jersey Senate committee on Monday advanced legislation to prohibit awarding state contracts and development subsidies to companies that seek to reduce their taxes through so-called inversion transactions.

## DC Group Issues Paper Calling For Stronger Corporate Tax

A Washington, D.C.-based research group, whose executive director has been tapped as the chief economist for Hillary Clinton's transition team, released a paper Monday promoting different methods of corporate tax reform focused on the revenue needs of the federal government.

## IMMIGRATION

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## Union Fires Back In Latest Optional Practical Training Case

A technology union urged the D.C. federal court Friday to deny a Department of Homeland Security bid to toss its case challenging a revised foreign student work rule, saying it has sufficiently pled that its members work in fields targeted for additional foreign labor and are harmed as a result.

Federal Trade Commission  
Fish and Wildlife Service  
Government Accountability Office  
Internal Revenue Service  
Library of Congress  
National Aeronautics and Space Administration  
National Institutes of Health  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
New Jersey Legislature  
Office of Foreign Assets Control  
Pechanga Band of Luiseno Indians  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
Skokomish Indian Tribe  
Smithsonian Institution  
Standing Rock Sioux Tribe  
U.S. Air Force  
U.S. Army  
U.S. Attorney's Office  
U.S. Copyright Office  
U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Senate  
U.S. Supreme Court  
Western Area Power Administration



## **Shepherds' Case Survives In H-2A Wage Fight**

A Washington, D.C., federal judge on Friday refused to toss a suit from a putative class of shepherds alleging that the H-2A visa program's wage rule depresses pay, saying the shepherds have stated plausible claims against the federal government.

### **NATIVE AMERICAN**

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## **Native American Tourism Bill Heads To President's Desk**

Congress sent a measure requiring federal agencies to better plan for Native American tourism opportunities to the president's desk Monday after the bill passed the House on a voice vote.

## **Calif. Rep. Floats Pechanga Band Water Rights Pact Bill**

A California lawmaker on Friday introduced a bill that would ratify a settlement between the Pechanga Band of Luiseno Indians, the state, the federal government and certain local water districts, setting out the tribe's long-disputed water rights in the Santa Margarita River Watershed.

## **Wash. Tribe Presses To Toss Rival's Hunting Grounds Suit**

Members of the Suquamish Tribal Council and the tribe's fisheries director pressed a Washington federal court on Friday to nix the Skokomish Indian Tribe's suit accusing them of encroaching on its hunting grounds, arguing that the dispute fails on three premises.

## **Tribes May Have More Say In Projects After Dakota Pipeline**

The Obama administration's recent construction freeze on part of the controversial Dakota Access pipeline and promise to rethink how Native American tribes are consulted may lead to tribes getting not only more opportunity to voice concerns but also the power to determine how, or even if, infrastructure projects affecting their rights are allowed to proceed.

### **TELECOMMUNICATIONS**

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## **DC Circ. Won't Revive Low-Power TV Auction Challenges**

The full D.C. Circuit refused Friday to revive a challenge by a low-power TV station and low-power TV investors to the Federal Communications Commission's upcoming spectrum auction, which could take some of the small local stations off the air.

## **CBS Wants No FCC Licensing Involvement In Set-Top Plan**

Disney, CBS and other programmers have said that they remain "strongly opposed" to any Federal Communications Commission plan to unlock competition in the set-top box market that includes agency involvement in the licensing process, the same day FCC Chairman Tom Wheeler unveiled his revised plan.

### **EXPERT ANALYSIS**

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## **The Right Side Of History: Obama's Administration And DAPL**

After the District of Columbia denied the Standing Rock Sioux Tribe's request for an injunction against the controversial Dakota Access Pipeline, the Obama administration sided with the tribe. However, this lawsuit may just be the opening salvo in a much larger battle for tribal rights, says Professor Matthew Fletcher of Michigan State University College of Law.

## **An End-Of-Summer Push On Environmental Mitigation Policy**

The final week of August saw several important developments in what is proving to be a very consequential year for federal environmental mitigation policy. Thomas Jensen and Sandra Snodgrass of Holland & Hart LLP highlight key features and

implications of each new development.

### **What To Expect From The Future Of Health Care**

Today health care organizations see us as consumers and are committed to a cultural shift that will reposition us as members. This process is an important, strategic effort by many of the largest health systems and there is regulatory and empirical support for it, say attorneys with Bryan Cave LLP.

### **Extraction Payment Rule May Lead To More FCPA Scrutiny**

New U.S. Securities and Exchange Commission rules for resource extraction issuers will create a mandatory disclosure requirement for certain payments that have traditionally fallen under the Foreign Corrupt Practices Act and have not been subject to a mandatory disclosure requirement. An effect is a likely increase in voluntary FCPA disclosures and FCPA investigations, say Lara Covington and Lisa Prager of Holland & Knight LLP.

### **IRS' Management Contract Safe Harbors: Some Observations**

The IRS recently issued guidance that generally provides greater flexibility to a state, local government or nonprofit entity that funds projects with tax-advantaged bonds. However, government and nonprofit entities, when entering into management contracts with third parties, should not necessarily alter their sound business practices in negotiating contract terms as a result of the new safe harbors, say attorneys with Locke Lord LLP.

### **Rise In Whistleblower Claims Likely With New CFTC Rules**

Recently proposed regulations would enable the U.S. Commodity Futures Trading Commission to bring enforcement actions against employers that retaliate against whistleblowers, and would expand the agency's authority into an unprecedented area insofar as policing energy and other market participants is concerned, say attorneys with Morgan Lewis & Bockius LLP.

## **LEGAL INDUSTRY**

### **Kirkland Chasing Prestige Of Rivals With Bancroft Power Play**

Kirkland & Ellis LLP's hire of Paul Clement and the entire Bancroft PLLC legal team, announced Monday, creates one of the most formidable appellate practices in the U.S., but experts say the move may also be driven by forces outside a desire to dominate at the Supreme Court.

### **Paul Clement, Bancroft Firm To Join Kirkland & Ellis**

Kirkland & Ellis LLP has snapped up the entire 17-attorney team at renowned appellate firm Bancroft PLLC, home to former solicitor general and prolific U.S. Supreme Court litigator Paul D. Clement, Kirkland & Ellis said Monday.

### **How Paul Clement Ended Up At Kirkland**

Widely considered one of the elite advocates of the U.S. Supreme Court, Paul Clement's legal education hasn't been so single-minded. Along with his law degree, Clement studied economics and has held a handful of private and public-sector jobs on his way to Kirkland & Ellis LLP this week.

### **Cybersecurity Becoming Big Issue For GCs, Report Says**

General counsel at firms around the world have seen their responsibilities grow over the years, and a Monday report finds that such is only going to increase as issues ranging from cybersecurity to social media risks come more and more under their purview.

### **Norton Rose Boosts Canadian Presence With Firm Takeover**

Global law firm Norton Rose Fulbright established a new presence on the west coast of Canada, seeking to enter the country's fastest growing economy by combining with British Columbia-based Bull Housser & Tupper LLP, the firm announced in a statement on Monday.

## Cleary Gottlieb Taps Longtime Partner As New Leader

Cleary Gottlieb Steen & Hamilton LLP on Monday announced that longtime financial investments partner Michael Gerstenzang will become the firm's new managing partner next year, as veteran antitrust partner Mark Leddy is set to leave the position.

## 4 Practice Areas Where NJ Firms Are Hiring

Real estate has emerged as one of the busiest practice areas in which New Jersey law firms are hiring as the state continues its climb out of the recession, while intellectual property and corporate compliance have also found themselves in high demand in the wake of regulatory updates and landmark court rulings. Here are the sectors experts view as hotbeds of employment opportunities for attorneys who want to work in New Jersey.

## Pro Bono Firm of 2016: Akin Gump

Lobbying for millions of dollars in childhood cancer research, fighting to hold Bolivian officials responsible for human rights violations and working to restore a deaf man's dignity after he was wrongfully jailed for weeks have earned Akin Gump a spot as one of Law360's Pro Bono Firms of 2016.

## Rainmaker Q&A: Quarles & Brady's Stephanie Quincy

Not every client will be a fit or a "win." Instead of focusing on just our wins or (perceived) losses, I always step back and look at the bigger picture. Oftentimes what I learn from a loss is far greater than from even the biggest of wins, says Stephanie Quincy, a partner in Quarles & Brady LLP's labor and employment group.

## Rainmaker Q&A: Schulte Roth's David Nissenbaum

It doesn't matter whether or not you play golf. Work hard every day of your career to establish a solid foundation of legal and business knowledge. You can't succeed at rainmaking over the long term unless you really know your stuff, says David Nissenbaum, a partner at Schulte Roth & Zabel LLP.

## **JOBS**

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### LAW FIRMS

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[Norton Rose Fulbright](#)  
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[Butler Rubin](#)  
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Crowell & Moring  
Curtin & Heefner  
Fitzpatrick Cella  
Fletcher Heald  
Fredericks Peebles  
Freeborn & Peters  
Fried Frank  
Gray & Associates  
Greenberg Traurig  
Hogan Lovells  
Holland & Hart  
Jones Skelton  
Karnopp Petersen LLP  
Latham & Watkins  
Littler Mendelson  
Locke Lord  
Marashlian & Donahue  
Marshall Gerstein  
Mayer Brown  
McCarter & English  
Morgan Lewis  
Nossaman LLP  
Paul Hastings  
Quarles & Brady  
Quinn Emanuel  
Ropes & Gray  
Scarinci Hollenbeck  
Schulte Roth  
Schwartz Simon  
Sheppard Mullin  
Sidley Austin  
Simpson Thacher  
Squire Patton Boggs  
Sterne Kessler  
Sutherland Asbill  
Venable LLP  
Winston & Strawn

#### COMPANIES

NFL Enterprises LLC  
Kirkland's, Inc.  
National Association of Broadcasters  
U.S. Chamber of Commerce  
Viacom Inc.  
21st Century Fox Inc.  
A&E Television Networks LLC  
AAR Corporation  
ActionAid  
Allergan PLC  
Altera Corporation  
America Fujikura Ltd.

American Federation of Labor and Congress of Industrial Organizations  
Apple Inc.  
Assisted Living Concepts, Inc.  
Association of American Railroads  
BlueCross BlueShield of North Carolina  
CBS Corporation  
CIGNA Corporation  
CTIA  
Center for Biological Diversity Inc.  
Delaware Riverkeeper Network  
Enbridge  
Facebook  
Financial Industry Regulatory Authority Inc.  
Google Inc.  
Highmark Inc.  
Hobby Lobby Stores  
Humana Inc.  
ICx Technologies, Inc.  
IP Owners Association  
Immigration Reform Law Institute  
International Business Machines Corporation  
KPMG International  
MSCI, Inc.  
National Railroad Passenger Corporation  
New England Patriots  
Oceana Inc.  
Pfizer Inc.  
Planned Parenthood Federation  
PricewaterhouseCoopers  
Public Company Accounting Oversight Board  
Royal Dutch Shell PLC  
SLM Corporation  
Sierra Club  
Talen Energy Corp.  
The Boeing Company  
The Walt Disney Company  
Time Warner Inc.  
Twitter Inc.  
Univision Communications Inc.  
Zeughauser Group LLC

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Securities and Exchange Commission  
Army Corps of Engineers  
Federal Communications Commission  
Internal Revenue Service  
U.S. Army  
U.S. Department of Homeland Security  
U.S. Department of Labor

U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Senate  
Department of Commerce  
Executive Office of the President  
Standing Rock Sioux Tribe  
U.S. House of Representatives  
Agency for Healthcare Research and Quality  
Bureau of Labor Statistics  
Centers for Medicare & Medicaid Services  
Cheyenne River Sioux Tribe  
Commodity Futures Trading Commission  
Council on Environmental Quality  
Delaware River Basin Commission  
Equal Employment Opportunity Commission  
European Commission  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Emergency Management Agency  
Federal Railroad Administration  
Federal Trade Commission  
Fish and Wildlife Service  
Government Accountability Office  
Library of Congress  
National Aeronautics and Space Administration  
National Institutes of Health  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
New Jersey Legislature  
Office of Foreign Assets Control  
Pechanga Band of Luiseno Indians  
Port Authority of New York & New Jersey  
Skokomish Indian Tribe  
Smithsonian Institution  
U.S. Air Force  
U.S. Attorney's Office  
U.S. Copyright Office  
U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Transportation  
U.S. General Services Administration  
Western Area Power Administration

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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Jon Ralston  
**Sent:** Mon 12/17/2018 4:26:53 PM  
**Subject:** Ralston Reports -- Morning Flash, 12/17/18

12.17.2018

This dispatch prepared for .

DAYS UNTIL THE 2019  
LEGISLATURE BEGINS: 49

Good morning, everyone. Saw "The Mule" over the weekend, which is really middling Eastwood. Very predictable and pat, although well-directed and acted, but a total waste of a role for Bradley Cooper. Next up: "Roma," which I can't wait to see.

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What's below: Heller's chances, Sisolak nuggets, post-mortem nuggets, Morning Flash nuggets and a trivia question about a resignation.

#### COMING UP

Interested in sponsoring our IndyTalks with Steve Sisolak next year? Ping me, and I'll send details.

#### WOULD BE A HELLER OF A THING

So does outgoing Sen. Dean Heller actually have a chance to be Nevada's first-ever Cabinet secretary? The answer, from what I can discern, is a solid maybe.

Heller is clearly in the discussions and wants the job. And it's clear from this piece in Politico Pro (paywall) this AM that his team is pushing him hard. (Hey, they want jobs, too!)

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**ZINKE HEADS TOWARD THE EXIT:** The long-expected announcement that Secretary Ryan Zinke will depart from the Interior Department at the end of the year now kicks off the guessing game about who will replace the former Montana congressman atop the agency. President Donald Trump announced Zinke's exit in a tweet, of course, and said he'd reveal a replacement this week.

Already Rep. Cathy McMorris Rodgers (R-Wash.), outgoing Rep. Raúl Labrador (R-Idaho), outgoing Sen. Dean Heller (R-Nev.) and outgoing Republican Nevada Gov. Brian Sandoval have been named as potential picks. But people inside and outside the industry said Trump might easily give the job to Deputy Secretary David Bernhardt, Pro's Ben Lefebvre reports.

Keep in mind: Bernhardt, who is a former lobbyist with years of Beltway experience, has already faced a Senate confirmation fight. Any Zinke replacement will face a new Senate Energy Committee, where Sen. Joe Manchin — who previously supported Bernhardt — will lead as ranking Democrat.

A change in Heller? Heller has been in talks with the White House to take over as Interior secretary since losing his reelection bid last month, according to a source close to Heller's office, who adds that Heller thinks the job is his to lose. As with anything in Trump world, getting support from the president's family is key for any Cabinet post. That might bode well for Heller, given Ivanka Trump and Donald Trump Jr. both stumped for him in the final week of the midterm campaign. Neither the White House nor Heller's office responded to requests for comment.

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Love the Sandoval mention! (He might have been DOI in a Clinton Administration and then we might be talking about the Hutch inauguration coming up....But that's an alternate timeline.)

Heller clearly is being pushed by some of his Senate colleagues, but nobody, as usual, knows what Trump

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will do. The Sandoval and Adam Laxalt mentions (in other stories) seem like nonsense to me, but much of what Trump has done is nonsensical, so nothing would surprise me.

Trump tweeted he will decide this week, but that may not happen, either.

#### A COUPLE OF SISOLAK NUGGETS

Nugget No. 1 – Mayor Carolyn Goodman has scheduled a fundraiser at Piero's on the evening of Jan. 16 at the same time as the new governor is delivering his State of the State. This is so, so revealing, but of what? Dumb scheduling or raw hatred? Both?

Nugget No. 2 – The Sun's Yvonne Gonzalez does her best to get something [out of the governor-elect](#).

#### A COUPLE OF PATHETIC POST-MORTEM NUGGETS

Nugget No. 1 – A guy who lost every election and (without irony) says another guy should not be quoted about elections discusses the election with a guy who has no understanding of elections. [This is journalism](#).

Nugget No. 2 – [This great James DeHaven find](#) shows some GOP infighting between the local yokels and the national guys in Washoe. Poor, poor pitiful them. They could have won Washoe and still would have lost all of the major races.

#### A TRIO OF MORNING FLASH NUGGETS

Nugget No. 1 – Good Chris Kudalis piece on the confederacy of GOP dunces and how they may actually spur [recall law reform](#).

Nugget No. 2 -- [Susie to Israel](#).

Nugget No. 3 -- [LA declares war on Vegas](#).

#### TRIVIA QUESTION OF THE DAY

This is the anniversary of a Nevada senator resigning, not amid scandal but for another reason. Who was it and why did he resign?

Friday's winner: Veteran newsman George Knapp

The question: The most influential native Idahoan in NV history was born on this day. Who was he?

The answer: Grant Sawyer

#### MOVIE QUESTION OF THE WEEK

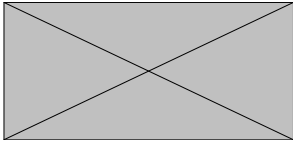
Lobbyist Michael Hillerby was first: Name the actor and the movies: He plays a neat freak; he plays a whistleblower; he plays a dad looking for his son; and he plays a desperate salesman. The answer: Jack Lemmon in "The Odd Couple" "The Chinese Syndrome" "Missing" and "Glengarry Glen Ross."

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**From:** Public Policy Law360  
**Sent:** Fri 10/26/2018 8:33:44 AM  
**Subject:** Ga. Can't Nix Absentee Ballots For Signature Mismatch



**PUBLIC POLICY.**

**Friday, October 26, 2018**

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## TOP NEWS

### Ga. Can't Nix Absentee Ballots For Signature Mismatch

Georgia election officials can't toss absentee ballots or applications with signatures that don't seem to match the ones on file, a federal judge held Thursday, handing a win to several voters and voting advocacy groups with less than two weeks to go before midterm elections. [Read full article »](#)

#### Analysis

### 3 Things To Watch After Feds Split On Trans Worker Rights

By telling the U.S. Supreme Court Wednesday that federal anti-discrimination law doesn't bar bias against transgender workers, the U.S. Department of Justice staked out a position that is at odds with the U.S. Equal Employment Opportunity Commission. Here, experts point to three things to watch as the high court decides whether to clarify if transgender and gay workers are protected by Title VII. [Read full article »](#)

#### Feature

### 5 Takeaways As Trump Eyes Cut To Medicare Drug Payments

The Trump administration on Thursday proposed slashing Medicare drug reimbursement to more closely align with lower prices abroad, drawing immediate fire from drugmakers and raising questions about financial fallout for hospitals. Here, Law360 examines five takeaways from the plan. [Read full article »](#)

#### Analysis

### SEC Looks Set To Bring New Wave Of Cyber-Fraud Cases

After long appearing reluctant to punish already victimized companies, the U.S. Securities and Exchange Commission looks poised to launch a new slate of enforcement actions against public companies that fail to enact sufficient accounting controls to guard against cyberattacks. [Read full article »](#)

### Feds Weren't Ready For 'Zero Tolerance' Policy, GAO Finds

Two federal agencies were unprepared for implementing the Trump administration's "zero tolerance" policy toward those suspected of crossing the border without authorization because they were unaware of it before it was publicly released, according to a government report released on Wednesday. [Read full article »](#)

### Senator Refers Kavanaugh Accuser, Avenatti For Investigation

The chair of the Senate Judiciary Committee referred one of the women who accused U.S. Supreme Court Justice Brett Kavanaugh of sexual misconduct and her attorney Michael Avenatti for criminal prosecution Thursday, the second time the lawmaker has taken such an action in the wake of the hotly contested nomination. [Read full article »](#)

### Fla. High Court OKs Victims' Rights, Judges Ballot Proposal

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Alston & Bird  
Baker McKenzie  
Barnes & Thornburg  
Bartlit Beck  
Bass Berry  
Beveridge & Diamond  
Bryan Cave  
Burns & Levinson  
Carothers & Mitchell  
Consovoy McCarthy  
Debevoise & Plimpton  
Dickinson Wright  
Dinsmore & Shohl  
Epstein Becker Green  
Farella Braun  
Fish & Richardson  
Fisher Phillips  
Gensburg Calandriello  
Gibson Dunn  
Greenberg Traurig  
Harris Wiltshire  
Haynes and Boone  
Hollingsworth LLP

CLV000058

A split Florida Supreme Court on Thursday restored to the November ballot a controversial proposal from the state's Constitutional Revision Commission featuring amendments on crime victims' rights, judges' mandatory retirements and judicial deference to state agencies, finding challengers failed to prove the title and summary are misleading. [Read full article »](#)

## BANKING & SECURITIES

### State Bank Supervisors Sue To Block OCC Fintech Charters

The Conference of State Bank Supervisors renewed its effort Thursday to stop the Office of the Comptroller of the Currency from issuing so-called fintech charters, filing suit against the national bank agency about a month after New York's top banking regulator remounted her own legal challenge to the charter concept. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

### EPA Seeks To Stall States' Fight Over Landfill Emissions

The U.S. Environmental Protection Agency urged a California federal judge Thursday to hold off deciding whether to toss claims it violated the Clean Air Act by failing to impose Obama-era regulations limiting emissions from municipal landfills, arguing newly proposed emission rules could impact the suit. [Read full article »](#)

### Mich., Ford Deal As Toxic As Industrial Dumping, Judge Told

Michigan's environmental quality agency, attorney general and Ford Motor Co. teamed up to rig a "sue and settle" plan in 2017 to let Ford off easy for its decades of dumping toxic chemicals into its neighbors' backyards, a group of residents told a Michigan federal judge Wednesday. [Read full article »](#)

### Youths Lack Standing In Climate Suit, Feds Tell Justices

The federal government has urged the U.S. Supreme Court to halt trial proceedings in a suit brought by a group of young people accusing the government of setting policies that worsen climate change, saying the plaintiffs lack standing and the matter is political in nature. [Read full article »](#)

## HEALTH & LIFE SCIENCES

### Law Firms Support Trans Community Following HHS Memo

At least four large law firms have signed on to a letter voicing support for the transgender community following the leak of a U.S. Department of Health and Human Services memo arguing for a new, more narrow definition of gender that excludes transgender, nonbinary and intersex people. [Read full article »](#)

## IP & TECHNOLOGY

### USPTO Can't Pause Patent Fee Row To Mull High Court Bid

A federal judge is refusing a request from the U.S. Patent and Trademark Office to stay a patent case, saying he won't hit pause while the government mulls a trip to the U.S. Supreme Court in defense of the agency's controversial policy on attorneys' fees. [Read full article »](#)

## COMPETITION

### Full DC Circ. Won't Rehear Railroads' Amtrak Metrics Row

The full D.C. Circuit on Wednesday declined to review a split panel's July decision reinstating a federal statute allowing Amtrak to help the Federal Railroad Administration set performance and scheduling standards along the nation's railways.

Jenner & Block  
Katz Marshall  
Kelley Drye  
Kobre & Kim  
Latham & Watkins  
Law Offices of Gina Mendola Longarzo  
Lawyers' Committee for Civil Rights  
Lerman Senter  
Mayer Brown  
Messer Capareello  
Miller & Chevalier  
Miller Canfield  
Morgan Lewis  
Nexsen Pruet  
Nixon Peabody  
Ogletree Deakins  
Pillsbury Winthrop  
Quinn Emanuel  
Reed Smith  
Riggs Abney  
Rimon PC  
Ropes & Gray  
Simpson Thacher  
Ulmer & Berne  
WilmerHale  
Wilson Sonsini  
Winston & Strawn

## COMPANIES

AAR Corporation  
American Bar Association  
American Civil Liberties Union  
American Federation of State, County and Municipal Employees  
American Hospital Association  
American Intellectual Property Law Association  
Amgen Inc.  
Aqua America Inc.  
Association of American Railroads  
Cargill Inc.  
Center for Constitutional Rights  
Chevron Corp.  
Conference of State Bank Supervisors  
Digital Realty Trust Inc.  
DraftKings Inc.  
Entercom Communications Corp.  
Entercom Communications Corporation  
Environmental Defense Fund Inc.

[Read full article »](#)

## GOVERNMENT CONTRACTS

### VA Should Improve Small Biz Preference Program, GAO Says

The U.S. Department of Veterans Affairs' use of veteran-owned small businesses has increased significantly since the U.S. Supreme Court ruled a related contracting preference is mandatory, but VA contracting officers are still struggling to implement that preference, according to a watchdog report released Wednesday. [Read full article »](#)

## INTERNATIONAL TRADE

### Trade Chiefs Declare WTO 'Not Sustainable' In Bid For Reform

Thirteen trade ministers from across the globe declared Thursday that the current path of the World Trade Organization is "not sustainable" and issued a call for broad reform of the Geneva-based trade body amid pressure from the Trump administration. [Read full article »](#)

### Dairy Producers Ask White House For More Tariff Relief

President Donald Trump's \$12 billion aid plan to help U.S. farmers whacked with retaliatory tariffs as a result of the administration's escalating trade enforcement push did not go far enough to support the nation's dairy farmers, a powerful lobbying group said Wednesday. [Read full article »](#)

## TAX

### Former Ways And Means Tax Counsel Joins Miller & Chevalier

A former tax counsel for the U.S. House Ways and Means Committee who played a key role in developing the international provisions of the federal tax overhaul will join Miller & Chevalier Chtd. as a member of its tax department, the firm announced Thursday. [Read full article »](#)

### US Blasts EU Digital Tax, Urges Cooperation

As debate over taxation of the internet intensifies in Europe, U.S. Treasury Secretary Steven Mnuchin blasted the proposed European Union digital services tax and urged EU member states to follow through on the Organization for Economic Cooperation and Development's plan to reach a multilateral solution by 2020. [Read full article »](#)

## IMMIGRATION

### ACLU Fights New Asylum Rule For Domestic Abuse Victims

The American Civil Liberties Union pressed for a quick win Wednesday in a D.C. federal court case where the rights group asserts the federal government's restrictions preventing domestic abuse survivors from obtaining asylum conflict with safeguards mandated by Congress. [Read full article »](#)

### Salvadoran Sues ICE Over Separation From 4-Year-Old Son

Immigration advocates urged a D.C. federal court on Thursday to reunify a Salvadoran asylum-seeker with her 4-year-old son after they were forcibly separated at the border, claiming that U.S. Immigration and Customs Enforcement's decision to keep the two apart violates her due process rights. [Read full article »](#)

## NATIVE AMERICAN

### Slave Descendants Say DOI Can't Dodge Discrimination Suit

FanDuel Inc.  
Ford Motor Co.  
Four Seasons Holdings Inc.  
Genentech Inc.  
Google Inc.  
Ketchum Inc.  
[Lawyers' Committee for Civil Rights Under Law](#)  
Medicare Payment Advisory Commission  
Monsanto Co.  
NBCUniversal Inc.  
National Association of Legal Fee Analysis  
National Basketball Association  
National Milk Producers Federation  
National Treasury Employees Union  
Nestle  
New York Times Co.  
Our Children's Trust  
PhRMA  
Regeneron Pharmaceuticals Inc.  
Sierra Club  
Sinclair Broadcast Group, Inc.  
The Atlanta Journal-Constitution  
Tribune Media Co.  
Trump Organization Inc.  
Twitter Inc.  
United States Telecom Association  
Voya Financial Inc.  
Wal-Mart Stores Inc.  
Wayfair LLC  
Yahoo! Inc.  
YouTube Inc.

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Centers for Medicare & Medicaid Services  
Crow Creek Sioux Tribe  
Drug Enforcement Administration  
Equal Employment Opportunity Commission  
European Commission  
European Union  
Executive Office of the President  
Federal Communications Commission  
Federal Railroad Administration

CLV000060

Descendants of slaves once held by the Muscogee (Creek) Nation have urged a D.C. federal court to reject the U.S. Department of the Interior's bid to throw out their discrimination suit, saying the statute of limitations had not run out on their claims. [Read full article »](#)

## TELECOMMUNICATIONS

### Trump Sets Up National Framework For Spectrum Sharing

President Donald Trump signed a memorandum Thursday that outlines a national spectrum strategy meant to speed the adoption of next-generation wireless technologies while helping the government and private sectors use the airwaves more efficiently. [Read full article »](#)

### FCC Secures Go-Ahead For New Economics Office

The Federal Communications Commission said Thursday it has gotten the green light to open its new Office of Economics and Analytics by the end of the year after securing permission from the House and Senate Appropriations Committees, among other federal entities. [Read full article »](#)

### Muni Broadband, Kid Vid Rules Chill Free Speech: O'Rielly

Federal Communications Commission member Michael O'Rielly identified municipally run broadband networks and rules surrounding children's broadcast programming as possible restraints on free speech during a keynote address Wednesday night. [Read full article »](#)

### FCC Again Denies Foes Of CBS-Entercom Merger

The Federal Communications Commission in a decision released Thursday again refused to challenge the merger of CBS Radio with Entercom Communications Corp. over a broadcaster's allegations of "news distortion" purportedly rampant at CBS. [Read full article »](#)

### FCC Defends Tribal Lifeline Clamp-Down At DC Circ.

A D.C. Circuit panel Thursday pressed the Federal Communications Commission on whether it followed the proper procedures when it moved to change the way funds for Lifeline services on tribal lands are deployed. [Read full article »](#)

## WHITE COLLAR

### Trump Campaign's Sway Over Charity Draws Judge's Scrutiny

A Manhattan judge weighing the New York attorney general's suit against President Donald Trump for allegedly using his personal foundation as a campaign piggy bank zeroed in at oral arguments Thursday on emails that showed Trump campaign staff giving instructions on how charitable funds should be spent. [Read full article »](#)

## CIVIL RIGHTS

### Harvard Data Reveals Asian 'Penalty,' Expert Testifies

Asian-Americans face a statistically significant penalty and discriminatory treatment as a result of their race when applying to Harvard University, a star expert witness said Thursday in testimony for the group suing over the prestigious university's affirmative action admissions policies. [Read full article »](#)

## EXPERT ANALYSIS

### A First Look At The Sweeping New Opioid Law

The SUPPORT Act, signed into law this week, is Congress' long-anticipated response to the national opioid crisis. The act's wide-ranging provisions take aim at the entire

Florida Supreme Court  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
Michigan Department of Environmental Quality  
Michigan Department of Natural Resources  
Muscogee Creek Nation  
National Labor Relations Board  
National Railroad Passenger Corp.  
National Telecommunications and Information Administration  
New York State Department of Financial Services  
Office of the Comptroller of the Currency  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
Surface Transportation Board  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Agriculture  
U.S. Department of Health and Human Services  
U.S. Department of Justice  
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U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
U.S. Patent and Trademark Office  
U.S. Supreme Court  
World Trade Organization



health care continuum, reflecting the breadth of the crisis as well as the collective resolve of Congress to address the challenges, say attorneys at Morgan Lewis & Bockius LLP. [Read full article »](#)

### **Calif.'s Updated Slack-Fill Law: What Cos. Should Know**

California recently amended its slack-fill packaging law, creating several new exemptions that may provide companies some relief from the slack-fill lawsuits that have proliferated in the state, say attorneys with Kelley Drye & Warren LLP. [Read full article »](#)

### **A Closer Look At SEC's Whistleblower Proposals**

Recently proposed amendments to the rules governing the U.S. Securities and Exchange Commission's whistleblower program represent a step back for the program. However, there are some elements that should encourage whistleblowers, says Matthew LaGarde of Katz Marshall & Banks. [Read full article »](#)

### **Unpacking New Guidance On Tax-Free Monetized Spinoffs**

The Internal Revenue Service recently clarified the representations a company is expected to make when it requests a private letter ruling on a tax-free spinoff with a debt exchange component. Attorneys at Latham & Watkins LLP examine this significant revenue procedure. [Read full article »](#)

## **LEGAL INDUSTRY**

### **Coming Monday: Law360's Access To Justice**

Law360 is on a mission to explore important, and often overlooked, issues that impact individuals' ability to navigate a complex legal system. We are proud to announce our weekly Access to Justice newsletter, which will launch Monday and be free of charge to all readers. [Read full article »](#)

### **Google CLO Allegedly Had An Affair With Subordinate**

The chief legal officer of Google's parent company allegedly had an extramarital affair with a subordinate in the legal department, who was then moved to another division after the company learned of the relationship, according to a report published Thursday. [Read full article »](#)

### **How Does Ginsburg Tackle Cases? 'I Start With The Judges'**

U.S. Supreme Court Justice Ruth Bader Ginsburg offered rare insight into her approach to cases in a conversation with D.C. Circuit Judge David B. Tatel on Wednesday evening, explaining why she always reads lower court opinions before turning to the parties' briefs and what type of submissions often end up in her "skip" pile. [Read full article »](#)

### **Excessive Attys' Fee Bids Can Backfire, Judges Say**

A prevailing party seeking to recover legal fees should resist asking for excessive or unnecessary hours, federal judges said in a panel discussion Thursday, with one jurist noting such entries send up a red flag that makes him "skeptical of the entire application." [Read full article »](#)

### **Law Student Pleads Guilty To CyberStalking Georgetown Alum**

A former University of Texas law student has pled guilty to cyberstalking a Georgetown University Law Center alumnus after the school denied his application, the U.S. Department of Justice announced Wednesday. [Read full article »](#)

### **Ex-W.Va. Supreme Court Justice's Law License Annulled**

A former justice on West Virginia's highest court had his license to practice law annulled earlier this month after pleading guilty to a federal wire fraud charge connected to his personal use of a state-owned vehicle and gas credit card. [Read full article »](#)

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Jenner & Block and Barnes & Thornburg top this week's legal lions list with a major win



for fantasy sports platforms in a lawsuit over college athletes' likenesses, while Fish & Richardson ended up on the legal lambs list after a jury concluded its client, Walmart, willfully infringed a smaller rival's trademark. [Read full article »](#)

### Breaking The Rules: 3 Ways To 'Lead' A Direct Examination

Trial lawyers are frequently taught that they should appear invisible during direct examination — that their job is merely to prompt the witness to start speaking. But the most powerful direct examinations are the ones in which the examiner, not the witness, is controlling the pace, say attorneys with Kobre & Kim LLP. [Read full article »](#)

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Consovoy McCarthy

Debevoise & Plimpton

Dickinson Wright

Dinsmore & Shohl

Epstein Becker Green

Farella Braun

Fish & Richardson

Fisher Phillips

Gensburg Calandriello

Greenberg Traurig

Harris Wiltshire

Haynes and Boone

Hollingsworth LLP

Jenner & Block

Katz Marshall

Kobre & Kim

Law Offices of Gina Mendola Longarzo

Lawyers' Committee for Civil Rights

Lerman Senter

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Messer Caparello

Miller & Chevalier

Miller Canfield

Morgan Lewis

Nexsen Pruet  
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Reed Smith  
Riggs Abney  
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Association of American Railroads  
Cargill Inc.  
Center for Constitutional Rights  
Chevron Corp.  
Conference of State Bank Supervisors  
Digital Realty Trust Inc.  
DraftKings Inc.  
Entercom Communications Corp.  
Entercom Communications Corporation  
Environmental Defense Fund Inc.  
FanDuel Inc.  
Ford Motor Co.  
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Genentech Inc.  
Ketchum Inc.  
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Medicare Payment Advisory Commission  
Monsanto Co.  
NBCUniversal Inc.  
National Association of Legal Fee Analysis  
National Basketball Association  
National Milk Producers Federation  
National Treasury Employees Union  
Nestle  
Our Children's Trust

PhRMA  
Regeneron Pharmaceuticals Inc.  
Sierra Club  
Sinclair Broadcast Group, Inc.  
The Atlanta Journal-Constitution  
Tribune Media Co.  
Trump Organization Inc.  
Twitter Inc.  
United States Telecom Association  
Voya Financial Inc.  
Wal-Mart Stores Inc.  
Wayfair LLC  
Yahoo! Inc.  
YouTube Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Federal Communications Commission  
U.S. Department of Health and Human Services  
Government Accountability Office  
Internal Revenue Service  
European Union  
Executive Office of the President  
National Telecommunications and Information Administration  
Securities and Exchange Commission  
U.S. Customs and Border Protection  
U.S. Department of the Interior  
World Trade Organization  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Centers for Medicare & Medicaid Services  
Crow Creek Sioux Tribe  
Drug Enforcement Administration  
Equal Employment Opportunity Commission  
European Commission  
Federal Railroad Administration  
Florida Supreme Court  
Food and Drug Administration  
Michigan Department of Environmental Quality  
Michigan Department of Natural Resources  
Muscogee Creek Nation  
National Labor Relations Board  
National Railroad Passenger Corp.  
New York State Department of Financial Services  
Office of the Comptroller of the Currency  
Port Authority of New York & New Jersey  
Surface Transportation Board  
U.S. Attorney's Office  
U.S. Department of Agriculture  
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## The View From Las Vegas

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April 2018

### Editor's POV

With tax season now upon us, this issue of our newsletter features articles discussing important changes in federal tax laws taking effect for 2018. High-tech developments also are discussed, including changing rules under the Telephone Consumer Protection Act (TCPA), and regulation of virtual currencies and data privacy. For any company doing business online, compliance with the European Union's new General Data Privacy Regulation (effective May 25) is at the forefront, particularly since it applies to U.S. companies doing business online with people in Europe. Also included is information about employment, home health care, and more.

### Table of Contents

[Nevada and Firm News](#) | [Tax](#) | [Technology, Media & Telecommunications](#) | [Corporate](#) | [Labor & Employment](#) | [Healthcare](#) | [Environmental](#)

NEVADA AND FIRM NEWS

CLV000067

## Greenberg Traurig and Piercy Bowler Taylor & Kern present: Tax Cuts and Job Act

On Tuesday, May 8, 2018, at 8:00 a.m., please join [Greenberg Traurig](#) and [Piercy Bowler Taylor & Kern](#) for a discussion about the recently passed tax reform bill, commonly referred to as the “[Tax Cuts and Jobs Act](#)” (TCJA), the most expansive federal tax legislation since 1986. It includes a multitude of provisions that will have a major impact on businesses. The discussion will include:

- *Tax Cuts and Jobs Acts: Key Provisions Affecting Businesses*
- *Impact of Tax Reform on Executive Compensation and Employee Benefits*

Please contact [Melissa Tom](#) to RSVP.

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## TAX

### Token Issuers and Purchasers, Beware: The IRS May Tax Each Time Tokens are Used

Many blockchain companies are using a largely unregulated means of raising funds, commonly known as an initial coin offering (ICO).<sup>1</sup> An ICO consists of the issuance of a newly generated cryptocurrency (generally referred to as a token) that runs on blockchain technology, in exchange for fiat currency (such as U.S. dollars) or other cryptocurrencies like bitcoin or ethereum. Broadly, tokens can either be classified as “utility tokens,” which provide users with access to the blockchain platform developed by the issuer or products or services provided by the issuer, or “security tokens,” which represent certain rights with respect to an entity, either as equity or debt.<sup>2</sup> This GT Alert discusses the potential tax implications of the so-called utility tokens. [\[READ MORE\]](#)

### Estate Planning Under the Tax Cuts and Jobs Act

On Dec. 22, 2017, the Tax Cuts and Jobs Act (the Act) was signed into law. It is the most sweeping federal tax legislation in decades and significantly changes the landscape of individual, corporate, partnership, international, and trust and estate taxation. In general, the changes made by the Act took effect as of Jan. 1, 2018, with most of the provisions affecting individual taxpayers being scheduled to sunset at the end of 2025. The implications of the Act are far-reaching. Residents of states that impose a state income tax and/or a state estate tax will face greater planning challenges in order to mitigate their tax burden. [\[READ MORE\]](#)

### IRS Announces it Will End the Offshore Voluntary Disclosure Program Effective September 28, 2018

The IRS announced that it will end the Offshore Voluntary Disclosure Program (OVDP), effective September 28, 2018. The IRS is pressing taxpayers with undisclosed foreign accounts, entities and income to come forward before the September 28, 2018 deadline and become compliant. Therefore, US taxpayers who have unreported foreign assets and income have a limited amount of time to participate in the OVDP before the program ends. If they do not, they may face dire penalties, and, in some circumstances, criminal prosecution. [\[READ MORE\]](#)

### Tax Cuts and Jobs Act Disallows Deductions for Many Payments Due to Violation of Civil and Criminal Law

A provision in the [new tax law](#) greatly expands the scope of the disallowance of deductions for fines and penalties paid to government agencies. The new law disallows a tax deduction for any payment made to a government entity where the payment was made in relation to a violation of law or the investigation of a violation. Furthermore, it will disallow a deduction for payments made to third parties at the direction of a government agency. This deduction disallowance will make it costlier for a company to investigate and settle claims of violation of laws and regulations brought by federal, state, or local agencies or a foreign government. It will potentially touch a wide array of controversies that involve claims or actions alleging the violation of laws, including securities, employment, environmental, Foreign Corrupt Practice Act, white collar, whistleblower, healthcare, insurance, gaming, government contracts, or any other regulated industry. Under a literal reading of the statute, it could also apply to *qui tam* actions brought by private parties under a false claims (whistleblower) or private attorney general act. Any proposed settlement or consent order should be analyzed to determine whether it can be structured to limit the application of this new tax law. [\[READ MORE\]](#)

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## TECHNOLOGY, MEDIA & TELECOMMUNICATIONS

### D.C. Circuit Partially Vacates FCC’s 2015 Telephone Consumer Protection Act Order

The United States Court of Appeals for the District of Columbia Circuit recently issued a long-awaited decision on an appeal challenging certain aspects of a July 2015 Federal Communications Commission Order that clarified and expanded the reach of the Telephone Consumer Protection Act (TCPA) (47 U.S.C. § 227) and the FCC's rules governing autodialed, prerecorded or artificial voice calls or SMS text messages, commonly known as robocalls (47 C.F.R. § 64.1200). As explained below, the court struck down the FCC's definition of automatic dialing equipment subject to the TCPA and the FCC's restrictions on calling wireless numbers that have been reassigned to new subscribers. In addition, the court affirmed the FCC's decision that a party may revoke consent to receive robocalls through any reasonable means and the scope of the FCC's exemption from the prior consent requirement for calls by healthcare providers to wireless numbers when several conditions are met. [\[READ MORE\]](#)

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## CORPORATE

### GT Insights for Public Companies

#### SEC Regulation

##### Early Trends in Pay Ratio Disclosure

In accordance with the final rules issued by the Securities and Exchange Commission (SEC) under Section 953(b) of the Dodd-Frank Act, reporting companies are required to disclose the ratio of the total annual compensation of its principal executive officer to that of its median employee. The new SEC rules, contained in Item 402(u) of Regulation S-K, became effective for Form 10-Ks for the 2017 fiscal year or in Proxy Statements for the 2018 annual meeting. [\[READ MORE\]](#)

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## LABOR & EMPLOYMENT

### GT Publishes a Multi-Country Survey with the ACC on Covenants Not to Compete

Greenberg Traurig recently published a [multi-country survey InfoPAK<sup>SM</sup>](#) on covenants not to compete through the [Association of Corporate Counsel \(ACC\)](#). Covenants not to compete are important for employers to consider in order to protect proprietary information such as trade secrets, intellectual property, and highly confidential information. However, these post-employment restrictions vary country by country. These differences should be considered when an employer enters into an agreement with an employee. [\[READ MORE\]](#)

#### Federal Law Reaches a Tipping Point

On March 23, 2018, President Trump signed into law the 2,232-page Omnibus Appropriations bill – HR 1625, Consolidated Appropriations Act for FY 2018, which funds the government for the rest of the fiscal year. Included in that bill were a few paragraphs that prohibit restaurant owners from sharing server tips with supervisors, managers, or themselves. [\[READ MORE\]](#)

### Ninth Circuit: Employers May Not Consider Salary History in Deciding to Pay Men and Woman Differently

The day before Equal Pay Day, the U.S. Court of Appeals for the Ninth Circuit, sitting *en banc*, ruled that employers defending claims under the Equal Pay Act cannot rely on workers' past salaries in any respect in trying to justify pay disparities between women and men. *Aileen Rizo v. Jim Yovino*, 16-15372, 2018 WL 1702982 (9th Cir. Apr. 9, 2018) (*en banc*). This ruling expressly overturns the Ninth Circuit's prior holding in *Kouba v. Allstate Insurance Co.*, 691 F.2d 873 (9th Cir. 1982), conflicts with rulings from other circuits, and tees up a very important issue for potential Supreme Court review. [\[READ MORE\]](#)

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## HEALTHCARE

### A Primer on Home Health Care Services

Francis J. Serbaroli authored an article for the *New York Law Journal* titled "A Primer on Home Health Care Services." [\[READ MORE\]](#)



## ENVIRONMENTAL

### Beyond the Dakota Access Pipeline: Working effectively with Indian tribes on energy projects

Troy A. Eid authored an article titled "Beyond the Dakota Access Pipeline: Working effectively with Indian tribes on energy projects" which was published by the American Bar Association in its *Trends* March/April 2018 edition. The article explains the legal obligation of federal agencies to consult with Indian tribes on a government-to-government basis whenever projects require federal approval and why the industry should embrace enhanced tribal consultation as a risk-management strategy. [\[READ MORE\]](#)

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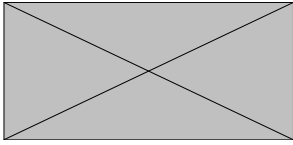


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**Subject:** Amid Mexican Border Standoff, Trump To Offer 'Path Forward'



**PUBLIC POLICY.**

**Monday, February 4, 2019**

## TOP NEWS

### Amid Mexican Border Standoff, Trump To Offer 'Path Forward'

President Donald Trump intends to offer a bipartisan tone during his State of the Union address Tuesday, one senior administration official said Friday, but it's not certain there will be a change from the months of partisan combat he's engaged in over government spending. [Read full article »](#)

### Fearing Roger Stone Media Storm, Judge Eyes Gag Order

Worried that a media feeding frenzy could taint a rapidly thinning pool of unbiased jurors in Roger Stone's upcoming trial, a D.C. federal judge Friday floated a possible gag order so it doesn't end up "like a book tour." [Read full article »](#)

#### Analysis

### US Oil Sanctions Make Venezuela A Compliance Minefield

President Donald Trump's sanction of Venezuela's state-run oil giant marks an aggressive turn in the administration's bid to force a regime change in the embattled nation and figures to cause significant discomfort for U.S. refiners in the meantime. [Read full article »](#)

### Judge Bars DOD Security Checks On Foreign-Born Recruits

A Washington federal judge permanently barred the U.S. Department of Defense from requiring only foreign-born recruits who had joined the military through a particular program to undergo regular security checks and continuous monitoring to ensure their security clearance eligibility, finding that the practice unlawfully discriminated against them. [Read full article »](#)

## IN DEPTH

#### Feature

### As Puerto Rico Recovers, Courts Heed Lessons Of Disaster

When Puerto Rico plunged into darkness in September 2017, the island's courts rallied to reopen and re-establish a pillar of the community. More than a year later, judicial officials are still surveying the damage. (This article is part of a series on how the island's legal industry is rebuilding after Hurricane Maria.) [Read full article »](#)

## BANKING & SECURITIES

#### Analysis

### Colorado Could Carve Smoother Path For Digital Tokens

The Colorado Senate's recent passage of a law that exempts digital tokens that are

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DeCotiis FitzPatrick  
Dechert  
Duane Morris  
Eversheds Sutherland  
Fine Kaplan  
Foley & Lardner  
Fox Rothschild  
Geyser PC  
Gibson Dunn  
Goldstein & Russell  
Greenberg Traurig  
Halloran Farkas  
Harris Wiltshire  
Hodgson Russ  
Hogan Lovells  
Hunton Andrews Kurth  
Jenner & Block  
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K&L Gates

CLV000071

sold to consumers rather than investors from being deemed securities could bode well for certain blockchain technology startups seeking clearer regulatory paths elsewhere. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

### Kids Can't Sue US Over Global Warming, 9th Circ. Told

The federal government on Friday asked the Ninth Circuit to sink a "misguided" lawsuit brought by young people who say federal policies exacerbate climate change, arguing the U.S. government can't be liable for flooding or drought caused by a global phenomenon. [Read full article »](#)

### Citgo Denies Bankruptcy Rumor In Wake Of WSJ Report

Citgo Petroleum Corp., a Houston-based oil refiner owned by Venezuela's state oil giant, said Friday it "has no intention of entering into bankruptcy proceedings" after the Wall Street Journal reported the company is considering that option amid Venezuela's political power crisis and U.S. sanctions. [Read full article »](#)

## HEALTH & LIFE SCIENCES

### Purdue Brass 'Milked' \$4B From Opioid Addiction: Mass AG

Purdue Pharma LP's controlling Sackler family paid itself \$4.2 billion in opioid money over 10 years as the company aggressively pushed sales and then tried to use its knowledge of addiction to expand into the treatment market, according to newly public allegations in a suit brought by the Massachusetts attorney general. [Read full article »](#)

### Trump's ACA Hatred Isn't Basis To Sue, Judge Rules

A Maryland federal judge on Friday tossed the state's lawsuit aimed at guaranteeing continued enforcement of the Affordable Care Act, saying that President Donald Trump's "profound disdain" for the ACA doesn't mean he's about to halt the law's operations. [Read full article »](#)

### AGs Want To Unlock Redacted Generic Price-Fixing Complaint

A group of state attorneys general and others accusing generic-drug makers of conspiring to fix prices for their products told a Pennsylvania federal judge on Friday that the public importance of the litigation warranted their previously redacted complaint being unsealed in full. [Read full article »](#)

## IP & TECHNOLOGY

### Industry Groups Urge USPTO To Defy Delrahim On SEPs

Groups representing the technology, car and retail industries urged the heads of the U.S. Patent and Trademark Office and U.S. Department of Commerce on Thursday to keep supporting standard-essential patent policies the U.S. Department of Justice's antitrust chief recently rebuffed. [Read full article »](#)

### Gas Co. Asks Justices To Enshrine PTAB Timeliness Orders

The Federal Circuit erred by holding that parties may appeal decisions by the Patent Trial and Appeal Board on the timeliness of inter partes review petitions, a Georgia-based utility company has told the U.S. Supreme Court in urging it to intervene. [Read full article »](#)

## TRANSPORTATION & INFRASTRUCTURE

### FCC Told GM's Ride-Hailing App Lacks Accessibility

A slew of communications accessibility groups have told the Federal Communications Commission that General Motors should not be allowed to walk back the minimum

Kasowitz Benson

Kelley Drye

Kenny Nachwalter

King & Spalding

Kirkland & Ellis

Kurzban Kurzban

Latham & Watkins

LeClairRyan

Lowenstein Sandler

Mayer Brown

McCarthy & Holthus

Miller & Chevalier

Morgan Lewis

Morville Abramowitz

Munger Tolles

NastLaw LLC

Nelson Mullins

Ogletree Deakins

Orrick Herrington

Paul Hastings

Paul Weiss

Pepper Hamilton

Porter Wright

Quinn Emanuel

Salvatore Prescott

Seyfarth Shaw

Sidley Austin

Skadden

Snell & Wilmer

Steptoe & Johnson LLP

Todd & Weld

Tousley Brain

Venable LLP

Weil Gotshal

Williams & Connolly

Willkie Farr

WilmerHale

Wilson Sonsini

Zelle LLP

## COMPANIES

AT&T Inc.

Academy Mortgage Corp.

Advanced Micro Devices Inc.

Allergan PLC

Alliance of Automobile

Manufacturers

Amazon.com Inc.

American Association of

Advertising Agencies

American Bar Association

American Enterprise Institute

level of accessibility in its ride-hailing service, arguing that this would make it less accessible for people with disabilities. [Read full article »](#)

## REAL ESTATE

### Idaho Sen. Unveils Outline For Housing Finance Reform

The chair of the Senate Banking Committee rolled out an outline on Friday for a broad legislative revamp of the U.S. housing finance system, laying down a potential path forward for Congress on a long-elusive policy goal as the Trump administration works on its own reform roadmap. [Read full article »](#)

## EMPLOYMENT

### DOL Auditor Probing Teen Work, Tip Pool Rulemaking Process

The U.S. Department of Labor's internal auditing office is probing how the agency came up with two recent proposals to limit employers' use of tip pools and the work teenagers can perform in nursing homes and hospitals, as well as the agency's broader rulemaking process. [Read full article »](#)

## PRODUCT LIABILITY

### Reps. Urge FDA To Crack Down On Non-Dairy 'Milk' Labeling

A bipartisan group of freshmen Congress members on Thursday pushed the U.S. Food and Drug Administration to make it clear that the term "milk" shouldn't be used on beverages that don't contain dairy. [Read full article »](#)

## GOVERNMENT CONTRACTS

### No Dismissal Of NYC Contract Fraud, Straw Donor Cases

A major donor to New York City politicians and others accused of cheating to win city contracts and of siphoning money to campaigns through straw donors failed to convince a judge to spike the cases against them on Friday, but the judge expressed concerns over search warrants. [Read full article »](#)

## INTERNATIONAL TRADE

### Dem Sens. To Mnuchin: Be Aggressive In China Trade Talks

U.S. Senate Democrats in a letter Friday urged U.S. Department of the Treasury Secretary Steven Mnuchin to maintain a hard-line approach in ongoing trade negotiations with China, saying that allowing Beijing to get away with "predatory" trade practices will hurt the American economy in the long run. [Read full article »](#)

## TAX

### Analysis

### Indirect Investors May Lose Out Under New Pass-Through Regs

Investors who use regulated investment companies to own interests in multiple publicly traded partnerships could lose out on an attractive 20 percent deduction Congress recently enacted if the IRS decides they may have an unfair advantage over direct investors. [Read full article »](#)

### Emulation Could Lead To Int'l Tax Coordination, Panelists Say

Moves by individual governments to copy tax policies that work for other countries may lead to more coordination within the international tax system than multilateral efforts such as those at the European Union and the OECD, tax specialists said Friday. [Read](#)

Apple Inc.  
Association of Corporate Counsel  
Aurobindo Pharma Limited  
BNSF Railway Co.  
Bayer AG  
Bristol-Myers Squibb Co.  
Broadcom Ltd.  
Business Insider Inc.  
CITGO Petroleum Corp.  
Cadila Healthcare Ltd.  
Calvin Klein Inc.  
Chevron Corp.  
Claren Road Asset Management LLC  
Comcast Corp.  
Computer & Communications Industry Association  
Crystallex International Corp  
Deloitte Touche  
Dex Media Inc.  
Dr. Reddy's Laboratories Limited  
Emulex Corporation  
Entertainment Software Association  
Equifax Inc.  
Ernst & Young  
Etsy Inc.  
Evenflo Co. Inc.  
Facebook  
Fannie Mae  
Freddie Mac  
General Motors  
GlaxoSmithKline  
Glenmark Pharmaceuticals  
Goldman Sachs Group Inc.  
Google Inc.  
HAKS Engineers and Land Surveyors PC  
Huawei Technologies  
Instagram Inc.  
Intel Corp.  
International Swaps and Derivatives Association  
Investment Company Institute  
KPMG International  
Lannett Company, Inc  
Lupin Ltd.  
MGM Resorts International  
Marriott International Inc.  
Martha Stewart Living Omnimedia, Inc.  
Mohegan Sun  
Mortgage Bankers Association

CLV000073

[full article »](#)

## IMMIGRATION

### Immigration Bills: Terminating EB-5, Defunding Muslim Ban

Several immigration-related bills have been unveiled over the last month, including legislation by Rep. Steve King, R-Iowa, that takes another whack at terminating the EB-5 investor visa program, amends part of the Immigration and Nationality Act to include aiding terrorists as grounds for relinquishing U.S. citizenship, and more. [Read full article »](#)

### Your Money Is Good Here, Judge Tells EB-5 Visa Seeker

A Chinese citizen's investment of loan proceeds in the U.S. counts as a cash investment that can qualify her for the EB-5 visa program, a D.C. federal judge has ruled, rejecting the federal government's stance that money from a loan should be classified as debt rather than cash. [Read full article »](#)

### DHS Slaps Ghana With Visa Sanctions

The U.S. Department of Homeland Security on Thursday announced it will impose visa sanctions on Ghana as a result of the country's failure to accept its citizens who had been deported from the U.S. [Read full article »](#)

## NATIVE AMERICAN

### BNSF Tells 9th Circ. That Tribe Can't Restrict Right Of Way

BNSF Railway Co. has urged the Ninth Circuit to reverse a lower court holding in favor of the Swinomish Indian Tribal Community in the tribe's suit over the shipping of crude oil across reservation land, saying the tribe is seeking to "nullify" key parts of the Interstate Commerce Commission Termination Act. [Read full article »](#)

### Conn. Lawmakers Propose Bill Seen To Support MGM Casino

State lawmakers representing Bridgeport, Connecticut, have proposed creating a gaming commission to oversee competitive bidding for licenses to build casinos in a move that reportedly favors MGM Resorts International's efforts to build a casino resort along that city's waterfront. [Read full article »](#)

## TELECOMMUNICATIONS

### DC Circ. Rips FCC, Axes Tribal Lifeline Subsidy Limits

The D.C. Circuit on Friday threw out an FCC order that placed limits on subsidies for wireless resellers and consumers in the Tribal Lifeline phone and internet program, slamming the agency for a lack of evidence supporting the changes and failing to come to grips with their impact on Native Americans. [Read full article »](#)

### DC Circ. Judges Hammer At FCC's Thinking On Net Neutrality

The Federal Communications Commission's interpretation of the way the web works drew sharp questions from D.C. Circuit judges Friday as the agency defended its rollback of net neutrality regulations. [Read full article »](#)

## EXPERT ANALYSIS

### A Year Of The Granston Memo Policy In Practice

In January 2018, the Granston memo advised U.S. Department of Justice attorneys to seek dismissal of certain whistleblower actions brought under the False Claims Act, raising questions about the policy's effect on the future of FCA litigation. One year later, answers are beginning to emerge, say Jaime Jones and Naomi Igra at Sidley Austin LLP. [Read full article »](#)

Mylan NV

NBCUniversal Inc.

National Association of Home Builders

National Employment Law Project

National Retail Federation Inc.

New York City Transit Authority

New York Times Co.

Northeastern University

Par Pharmaceutical Companies, Inc.

Perrigo Co. PLC

Purdue Pharma LP

Quill Corp.

Spotify Technology SA

Sun Pharmaceutical

T-Mobile USA Inc.

Teva Pharmaceutical Industries Limited

Verizon Communications Inc.

Washington Post Co.

Wayfair LLC

Wells Fargo & Co.

eBay Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Citizenship and Immigration Services

Bureau of Labor Statistics

Connecticut Attorney General's Office

Connecticut General Assembly

Crow Creek Sioux Tribe

Department of Commerce

European Union

Federal Communications Commission

Federal Emergency Management Agency

Federal Housing Finance Agency

Food and Drug Administration

Internal Revenue Service

Maryland Attorney General's Office

Mashantucket Pequot Tribal Nation

Mohegan Tribe

NAFTA

New York City Housing Authority

New York State Tax Appeals and Tax Appeals Tribunal

Office of the Comptroller of the Currency

CLV000074



## NY Tax Minutes: Wayfair, Executive Budget, Goldman Offshore

Timothy Noonan and K. Craig Reilly of Hodgson Russ LLP cover New York's underwhelming response to the South Dakota v. Wayfair Inc. sales and use tax nexus ruling, the tax proposals from the 2020 governor's budget, and two recent cases from the Tax Appeals Tribunals. [Read full article »](#)

## Keeping PR Strategy Communications Privileged: Part 1

Companies faced with high-profile litigation often turn to public relations firms to help defend their reputations and maintain shareholder confidence. But recent cases are a reminder that internal PR firm documents face uncertain privilege protection, even when those documents are generated in support of a broader legal strategy, says Jeffrey Schomig of WilmerHale. [Read full article »](#)

## LEGAL INDUSTRY

### What Millennial Attorneys Want Out Of Their Law Office

Millennial attorneys are looking for many of the same qualities in their workplace as their generational cohorts in other industries — with one key exception in work spaces, according to a report released this week. [Read full article »](#)

### Legal Sector Jobs Stagnate In January

The number of jobs in the legal sector did not budge during the first month of 2019, remaining static at just over 1 million even as the total number of nonagricultural jobs in the U.S. grew by 300,000 during the same period, a Friday report found. [Read full article »](#)

### BigLaw Sees Revenue Growth Hit 10-Year High In 2018

The legal industry thrived in 2018, with growth in revenue, net income and profits per partner the highest they've been in a decade, according to a survey released this week by Wells Fargo Private Bank's legal specialty group. [Read full article »](#)

### Porter Wright Expands To Chicago With Butler Rubin Merger

Ohio-based Porter Wright Morris & Arthur LLP has merged with Chicago firm Butler Rubin Saltarelli & Boyd LLP, the firms announced Thursday. [Read full article »](#)

### GC Cheat Sheet: The Hottest Corporate News Of The Week

More than 170 top corporate lawyers called on firms to diversify their partnership classes or lose their business, and panelists at a conference urged traditional shops to seriously acknowledge and embrace the changes happening around them — such as the Big Four accounting firms' legal inroads — or risk being left behind. These are some of the stories in corporate legal news you may have missed in the past week. [Read full article »](#)

### In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read full article »](#)

#### Podcast

### Law360's Pro Say: No Country For Old Lawyers

As baby boomer attorneys who hung their shingles in small towns around the country retire, fewer and fewer new lawyers are willing to replace them, leaving many residents with limited or even no access to legal help. Law360 editor Jack Karp wrote about the issue this week for our Access to Justice newsletter, and stops by the Pro Say podcast to discuss these legal deserts. [Read full article »](#)

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Howard & Howard  
Chicago, Illinois

**Pro Bono Fellowship: Any McCarter & English Office**  
McCarter & English, LLP  
Newark, New Jersey

Office of the U.S. Trade Representative  
Securities and Exchange Commission  
Surface Transportation Board  
Swinomish Indian Tribal Community  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court  
United States District Court for the Eastern District of Pennsylvania

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## LAW FIRMS

Hogan Lovells  
Latham & Watkins  
Sidley Austin  
Arnold & Porter  
DLA Piper  
Dechert  
Gibson Dunn  
Goldstein & Russell  
Harris Wiltshire  
Mayer Brown  
Munger Tolles  
Pepper Hamilton  
Skadden  
Baker McKenzie  
Berry Appleman  
Blank Rome  
Bruce S. Rogow PA  
Buchanan Ingersoll  
Buckley LLP  
Buschel & Gibbons  
Butler Rubin  
Cascadia Cross Border Law Group  
Choate  
Cuneo Gilbert  
DeCotiis FitzPatrick  
Duane Morris  
Eversheds Sutherland  
Fine Kaplan  
Foley & Lardner  
Fox Rothschild  
Geyser PC  
Greenberg Traurig  
Halloran Farkas  
Hodgson Russ  
Hunton Andrews Kurth  
Jenner & Block  
Jones Day  
K&L Gates  
Kasowitz Benson  
Kelley Drye  
Kenny Nachwalter  
King & Spalding  
Kirkland & Ellis  
Kurzban Kurzban  
LeClairRyan  
Lowenstein Sandler  
McCarthy & Holthus  
Miller & Chevalier  
Morgan Lewis



Morvillo Abramowitz  
NastLaw LLC  
Nelson Mullins  
Ogletree Deakins  
Orrick Herrington  
Paul Hastings  
Paul Weiss  
Porter Wright  
Quinn Emanuel  
Salvatore Prescott  
Seyfarth Shaw  
Snell & Wilmer  
Steptoe & Johnson LLP  
Todd & Weld  
Tousley Brain  
Venable LLP  
Weil Gotshal  
Williams & Connolly  
Willkie Farr  
WilmerHale  
Wilson Sonsini  
Zelle LLP

#### COMPANIES

Google Inc.  
T-Mobile USA Inc.  
CITGO Petroleum Corp.  
Facebook  
Huawei Technologies  
Wells Fargo & Co.  
eBay Inc.  
AT&T Inc.  
Academy Mortgage Corp.  
Advanced Micro Devices Inc.  
Allergan PLC  
Alliance of Automobile Manufacturers  
Amazon.com Inc.  
American Association of Advertising Agencies  
American Bar Association  
American Enterprise Institute  
Apple Inc.  
Association of Corporate Counsel  
Aurobindo Pharma Limited  
BNSF Railway Co.  
Bayer AG  
Bristol-Myers Squibb Co.  
Broadcom Ltd.  
Business Insider Inc.  
Cadila Healthcare Ltd.  
Calvin Klein Inc.  
Chevron Corp.

Claren Road Asset Management LLC  
Comcast Corp.  
Computer & Communications Industry Association  
Crystallex International Corp  
Deloitte Touche  
Dex Media Inc.  
Dr. Reddy's Laboratories Limited  
Emulex Corporation  
Entertainment Software Association  
Equifax Inc.  
Ernst & Young  
Etsy Inc.  
Evenflo Co. Inc.  
Fannie Mae  
Freddie Mac  
General Motors  
GlaxoSmithKline  
Glenmark Pharmaceuticals  
Goldman Sachs Group Inc.  
HAKS Engineers and Land Surveyors PC  
Instagram Inc.  
Intel Corp.  
International Swaps and Derivatives Association  
Investment Company Institute  
KPMG International  
Lannett Company, Inc  
Lupin Ltd.  
MGM Resorts International  
Marriott International Inc.  
Martha Stewart Living Omnimedia, Inc.  
Mohegan Sun  
Mortgage Bankers Association  
Mylan NV  
NBCUniversal Inc.  
National Association of Home Builders  
National Employment Law Project  
National Retail Federation Inc.  
New York City Transit Authority  
New York Times Co.  
Northeastern University  
Par Pharmaceutical Companies, Inc.  
Perrigo Co. PLC  
Purdue Pharma LP  
Quill Corp.  
Spotify Technology SA  
Sun Pharmaceutical  
Teva Pharmaceutical Industries Limited  
Verizon Communications Inc.  
Washington Post Co.  
Wayfair LLC

## GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Communications Commission  
Securities and Exchange Commission  
Bureau of Citizenship and Immigration Services  
U.S. Army  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of the Treasury  
Army Corps of Engineers  
Bureau of Labor Statistics  
Connecticut Attorney General's Office  
Connecticut General Assembly  
Crow Creek Sioux Tribe  
Department of Commerce  
European Union  
Federal Emergency Management Agency  
Federal Housing Finance Agency  
Food and Drug Administration  
Internal Revenue Service  
Maryland Attorney General's Office  
Mashantucket Pequot Tribal Nation  
Mohegan Tribe  
NAFTA  
New York City Housing Authority  
New York State Tax Appeals and Tax Appeals Tribunal  
Office of the Comptroller of the Currency  
Office of the U.S. Trade Representative  
Surface Transportation Board  
Swinomish Indian Tribal Community  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of the Interior  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
U.S. Senate  
United States District Court for the Eastern District of Pennsylvania

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CLV000080

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** HcKnowledge  
**Sent:** Tue 6/23/2015 11:58:31 AM  
**Subject:** [Newsletter] [Marketing Mail] Stark - New Case Law

Good morning,

Compensation of employed and contracted physicians continues to be the focus of high profile **OIG** and Department of Justice cases under the **False Claims Act**. Recent litigation has pursued **Stark law violations** despite the complexity of the law. A recent settlement in the Halifax Hospital Medical Center case for \$85 million demonstrates the potential extent of liability for providers. At the same time, there has been a strong uptick in reported Stark law settlements as well as increased interest in self-disclosing possible violations of the law. [Book Your Spot Today](#)

There are many lessons to be learned from this recent activity. First, providers should be aware of and avoid the types of arrangements that are under the most scrutiny. Further, court cases provide insight into how Stark law exceptions and antikickback safe harbors are being interpreted, **how the government calculates liability**, and the likelihood of settlement. Also, it is becoming clearer when voluntarily disclosing misconduct may make sense to lessen the blow of a violation.

This program will discuss the **recent cases and settlements** in detail and address the lessons to be learned.

#### [Covering Topics:](#)

- What types of compensation deals are more likely to be scrutinized?
- How to establish that payments are fair market value?
- Whether free meals and other perks can be offered to staff.
- How to “stop the bleeding” if self-referral violations are discovered?
- Critical lessons from recent rulings and settlements.
- Can whistleblower complaints be blunted?
- When is self-disclosure appropriate, and what’s the process?

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CLV000081

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Jason Roeller  
**Sent:** Tue 3/3/2015 2:20:40 AM  
**Subject:** RE: Fire Alarm Office Staffing is at Critical levels

Today a new policy is posted that will start in a few weeks to limit our maximum time held to 14 hrs. I am not sure who to thank for this but if it has something to do to this letter, I appreciate you looking into it. Our division as a whole thanks you.

Sincerely,  
Jason Roeller

-----Original Message-----

From: Carolyn G. Goodman  
Sent: Thursday, February 26, 2015 1:42 PM  
To: Jason Roeller  
Cc: Betsy Fretwell; Orlando Sanchez; Lora Kalkman  
Subject: RE: Fire Alarm Office Staffing is at Critical levels

Hi Jason:

With City Hall closed tomorrow and our Manager out-of-town, I am emailing her and the Deputy City Manager, Orlando Sanchez, to look into this as soon as possible. Thank you for your open communication, and I am hopeful that they will find out what is occurring and work to resolve the problem(s) next week.

Mayor Goodman  
Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

-----Original Message-----

From: Jason Roeller  
Sent: Wednesday, February 25, 2015 11:53 AM  
To: Carolyn G. Goodman  
Cc: Jason Roeller  
Subject: Fire Alarm Office Staffing is at Critical levels

Mrs Mayor Goodman:

I work in the Fire Alarm Office and have for 15 years. Our office staff is painfully struggling thru a massive staff shortage. We are severely understaffed and have been for years now. Our employees are working massive amounts of overtime to keep our staffing requirements to safe levels. Our employees are working extra shifts, up to 16 hour days with only an 8 hour break in between and we are falling apart at the seams. Our E-staff is telling us that the hold up to hire new employees is due to lack of personnel at Human Resources being able to fast track our hiring procedure and we are being placed on a waiting list in the city before any new hiring process can even be started. People with 10 plus years on the job are quitting because their family life is struggling due to the demands being placed on our employees. These are great employees, hard working , and dedicated employees who help save lives everyday. Without staffing there wont be enough personnel to answer 9-11 calls from the public and hold times will increase.

CLV000082

Our call volume has doubled since 2000 and yet our manpower has barely changed during that time. We are fighting for this city and county to be safe however we need personnel immediately. I have never written city hall about our problems ever but our cries for help are not being answered. I have talked to our chiefs numerous times and our hiring is at a snails pace. We have only 5 people in a training class where we need 15. We need 15 people now.

I am begging that HR please fast track our hiring process. It is critical so we are not having 9-11 calls be left on hold or go unanswered. Please help us. We are doing everything we can to serve our public. However without adequate manpower more employees will leave us. We can not afford to lose any more employees. I do not wish to be a whistleblower here and hope that my name be confidential for fear of retaliation. I love my job , we just need help.

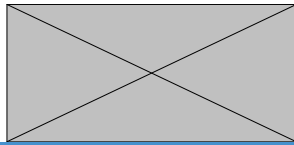
Sincerely,

Jason Roeller  
Las Vegas Fire & Rescue  
Fire Communication Specialist for 15 years

CLV000083



**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 3/21/2017 8:39:58 AM  
**Subject:** [Marketing Mail] Partisan Sparks Fly At Gorsuch Hearing's First Day



**PUBLIC POLICY**

## The Road To 60 Votes: Confirming Neil Gorsuch

Follow Law360's up-to-the-minute coverage.

**Tuesday, March 21, 2017**

### TOP NEWS

#### Partisan Sparks Fly At Gorsuch Hearing's First Day

Judge Neil Gorsuch, President Donald Trump's pick for the U.S. Supreme Court, pushed back against accusations of bias at the opening of his confirmation hearing Monday, as criticisms over the Senate delay on filling the late Justice Antonin Scalia's seat dominated much of the first day.

#### FBI Confirms Probe Into Possible Trump Team Ties To Russia

FBI Director James Comey on Monday confirmed that the FBI is investigating both links between, and potential coordination between, election campaign officials for President Donald Trump and the Russian government, while throwing cold water on Trump's claims that he had been wiretapped by the previous administration.

#### Analysis

#### Trump's HHS Moving Fast To Grant Industry Wishes

The U.S. Department of Health and Human Services on Monday hit the brakes on several quality improvement initiatives in Medicare, a gift to health care providers and the latest in a string of industry-friendly moves by HHS under the Trump administration.

#### Immigration Judges Sent To Deportation Centers, Big Cities

The U.S. Department of Justice has sent immigration judges to six detention centers not too far from the Mexican border and to major cities across the U.S. in the wake of President Donald Trump's executive order calling for the construction of a border wall and an increase in immigration enforcement, according to a notice on Friday.

#### Trump Admin. Delays Efficiency, Electric Vehicle Rules

The U.S. Department of Energy on Monday delayed five efficiency regulations including one for federal building standards, and the Department of Transportation delayed a safety rule for electric vehicles, each saying more time was needed to review them.

#### Analysis

#### Despite Rollbacks, Anti-Inversion Regs Likely Here To Stay

While the White House has taken a hard-line approach to the repeal of regulations it deems to be government overreach, experts say anti-inversion rules published by the Internal Revenue Service last year are likely safe from the chopping block.

#### High Court Won't Review Ex-Gov.'s Fraud Conviction

### LAW FIRMS

Altshuler Berzon  
Baker Donelson  
Barnes & Thornburg  
Brownstein Hyatt  
Chadbourn & Parke  
Chiesa Shahinian  
Cleary Gottlieb  
Davis Wright Tremaine  
Dewey & LeBoeuf  
Fletcher Heald  
Gibson Dunn  
Gross & Klein  
Hinshaw & Culbertson  
Hogan Lovells  
Holland & Knight  
Hughey Law Firm LLC  
Jenner & Block  
Jones Day  
Kiesel Law  
Kirkland & Ellis  
Littler Mendelson  
Marashlian & Donahue  
Morrison & Foerster  
Motley Rice  
Nelson Mullins  
Quinn Emanuel  
Reed Smith  
Reinhart Boerner  
Ropes & Gray  
Saul Ewing  
Schwerin Campbell  
Seward & Kissel  
Sidley Austin

CLV000084

The U.S. Supreme Court on Monday declined to review the conviction of former Connecticut Gov. John Rowland for his involvement in two federal election campaigns that violated the Sarbanes-Oxley Act.

### High Court Won't Hear Menendez Corruption Charges Appeal

The U.S. Supreme Court on Monday dealt a blow to U.S. Sen. Bob Menendez, D-N.J., when the justices refused to review a Third Circuit decision upholding his corruption charges based on an inquiry into the senator's motives to determine whether legislative acts are constitutionally protected.

## BANKING & SECURITIES

### Biz Groups Can't Block DOL Fiduciary Rule, Judge Says

A Texas federal judge won't block the U.S. Department of Labor's fiduciary rule for retirement account advisers while the U.S. Chamber of Commerce and others try to revive their challenge to it, ruling Monday the business groups hadn't caused the court to question its earlier decision in the agency's favor.

## ENERGY & ENVIRONMENTAL

### 9th Circ. Says Fishermen's APA Suit Lacks Jurisdiction

The Ninth Circuit said Friday that it did not have jurisdiction over a suit brought by a group of fishermen alleging that a decision by the National Park Service to enforce bans on commercial fishing in the Golden Gate National Recreation Area was unlawful, ruling that the case should be remanded and dismissed because it was improperly brought.

### Princeton Fights DOE On Publishing Admission Docs

Princeton University asked a D.C. federal judge on Friday to stop the U.S. Department of Education from making public certain documents it shared during a past investigation into its admissions process, saying that information is highly confidential and will cause it substantial damage.

## HEALTH & LIFE SCIENCES

### Fla. Gov. Escapes Suit Over Nursing Home Liability Law

A former Florida nursing home resident can't bring a lawsuit seeking to overturn a law limiting who she can sue for nursing home conditions, a state appeals court panel ruled Monday, finding she failed to show the governor would be responsible for any harm caused by the law.

### Justices Asked To Look At Nursing Education Antitrust Suit

A former Grambling State University nursing student has asked the U.S. Supreme Court to hear her antitrust suit against the Louisiana State Board of Nursing for ending Grambling's nursing program and forcing her to continue her degree elsewhere, saying the lower courts' decisions conflict with the high court's precedent.

## TRANSPORTATION & INFRASTRUCTURE

### Washington State Court OKs Seattle's Uber Union Law

A Washington state judge on Friday rejected Uber's claims Seattle abused its rulemaking process when it adopted an ordinance allowing for-hire drivers to unionize, according to an attorney who represented the Teamsters in their defense of the law.

### CSX Can Challenge 'Discriminatory' Tax Cap, 4th Circ. Says

Skadden  
Wilkes & McHugh

## COMPANIES

AT&T Inc.  
Airbnb Inc.  
Allergan PLC  
Altera Corporation  
American Association for Justice  
American Bar Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Federation of State, County and Municipal Employees  
American Hospital Association  
CSX Corporation  
Facebook  
Financial Services Roundtable  
Google Inc.  
HBR Consulting LLC  
International Brotherhood of Teamsters  
International Business Machines Corporation  
LinkedIn Corp.  
Massachusetts Bay Transportation Authority  
National Association of Broadcasters  
National Telephone Cooperative Association  
Oracle Corp.  
Pfizer Inc.  
Planned Parenthood Federation  
Public Knowledge  
SIFMA  
Sonoco Products Co.  
T-Mobile USA Inc.  
Teamsters Local Union 117  
Time Warner Cable  
Turner Broadcasting System Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Uber Technologies Inc.  
Verizon Communications  
Volkswagen

## GOVERNMENT AGENCIES

Animal and Plant Health Inspection Service  
Central Intelligence Agency  
Competition and Markets Authority

A South Carolina district court must decide whether the exclusion of property owned by CSX Transportation Inc. from a state cap on property tax increases amounts to a discriminatory tax on railroads that would be prohibited under federal law, the Fourth Circuit ruled Friday, reviving the rail carrier's tax challenge.

## EMPLOYMENT

### NJ Lawmakers Advance Bill Nixing Secret Whistleblower Deals

New Jersey lawmakers on Monday advanced a Democrat-backed bill that would require whistleblower settlements involving government parties to be public domain, legislation prompted by the \$1.5 million deal the state offered a fired prosecutor as long as he kept mum about the details.

### NLRB Asks DC Circ. To Affirm VW Organizing Decision

The National Labor Relations Board urged the D.C. Circuit on Monday to affirm its decision allowing a micro-unit of maintenance workers at Volkswagen Group of America Inc.'s Tennessee plant, saying the unit certification standard the car maker is challenging in an effort to include production workers in the unit was based on the appeals court's analysis in a 2008 case.

### Ill. Justices Decline Case Seeking Halt Of State Worker Pay

The Illinois Supreme Court on Monday denied Attorney General Lisa Madigan's motion to have the high court decide whether to halt state worker pay amid the state's historic 21-month budget impasse.

### Atlantic City Fire Contract Changes OK'd, But Not Layoffs

A New Jersey state judge has said state officials may cut Atlantic City firefighters' salaries and make other changes to their contract under a state law aimed at bringing financial stability to the struggling resort town, but officials are temporarily barred from laying off 100 firefighters given public safety concerns.

### EEOC Sues SC Co. For Religious Bias Against Driver

The U.S. Equal Employment Opportunity Commission on Monday filed a lawsuit against a South Carolina company for allegedly violating federal law by refusing to accommodate a truck driver's religious beliefs because of his Hebrew Pentecostal religion, the agency announced.

## COMPETITION

### UK Offering Up To £100K For Cartel Tipsters

The U.K.'s competition authority said Monday it is now offering to pay rewards of up to £100,000 (\$123,580) to people who provide information about cartel activity as the watchdog looks to crack down on the illegal schemes.

## AEROSPACE & DEFENSE

### High Court Asked To Pass On ACLU Suit Over Torture Report

The CIA asked the U.S. Supreme Court to not take up the American Civil Liberties Union's argument that the courts erred in deciding that a nearly 7,000-page U.S. Senate report on torture during the George W. Bush administration was a congressional record not subject to the Freedom of Information Act.

## TAX

### Skadden Has No Fed. Beef In Mich. Tax Deal, Justices Told

The Michigan Department of Treasury has asked the U.S. Supreme Court to reject a petition by Skadden Arps Slate Meagher & Flom LLP and others to take up a case

Equal Employment Opportunity Commission

Executive Office for Immigration Review

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

Federal Election Commission

Federal Trade Commission

Food and Drug Administration

Illinois Supreme Court

Internal Revenue Service

Judicial Conference of the United States

Michigan Department of Treasury

National Labor Relations Board

National Park Service

National Security Agency

U.S. Attorney's Office

U.S. Department of Agriculture

U.S. Department of Education

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. House of Representatives

U.S. Senate

U.S. Supreme Court

over the state's withdrawal from a multistate tax compact, saying the dispute does not pose a question requiring federal input.

### **Miami, Miami Beach Mayors Crack Down On Airbnb**

The mayors of Miami and Miami Beach launched a crackdown on illegal short-term rentals in both cities Monday, while the county property appraiser warned that homeowners who claim the homestead property tax exemption while renting out their homes to visitors could be violating the law.

## **IMMIGRATION**

### **Hawaii Court Denies Clarification Bid In Travel Ban Case**

The Hawaii federal judge who blocked President Donald J. Trump's revised travel ban shot down the government's bid for "clarification" of the court's temporary restraining order on Sunday, saying there was "nothing unclear" regarding the scope of the decision.

### **9th Circ. Rift Emerges Over Trump Travel Ban Ruling**

The chorus of Ninth Circuit judges who believe that a federal judge's decision blocking President Donald Trump's first immigration executive order should have received en banc reconsideration grew louder on Friday, as two more judges took the chance to slam the appellate panel's February opinion refusing to lift the stay.

## **TELECOMMUNICATIONS**

### **Analysis**

#### **Top 3 Groups Lobbying The FCC**

Telecommunications companies, advocates and trade groups have continued to push their agenda at the Federal Communications Commission over the last month, with the universal service fund, post-broadcast incentive auction transition and video relay service reform topping the list of concerns for the most vocal lobbyists.

#### **New FCC Chief Breaks With Trump On Media 'Enemy' Remarks**

The new Federal Communications Commission chairman provided a one-word answer — "no" — in a letter to Senate Democrats released Monday responding to a query on whether he agreed with President Donald Trump's statements that the media is "the enemy of the American people."

#### **FCC Lays Out Criteria For \$2B Connect America Auction**

The Federal Communications Commission said it will prioritize high speeds, low latency and low costs in its coming selection of internet providers that will receive up to \$1.98 billion in federal funding to support broadband development in unserved and high-cost areas across America, according to a Tuesday final rule.

#### **AT&T Asks FCC To Make Jewish Center Call Traces Permanent**

AT&T pushed the Federal Communications Commission on Friday to make permanent a temporary waiver that allows Jewish community centers to get increased access to blocked phone numbers when facing bomb threats.

#### **Lifeline Providers Push FCC To Flip Eligibility Move**

A coalition of Lifeline providers has urged the Federal Communications Commission to undo its decision to strip nine providers of newly granted federal eligibility to provide the subsidized broadband service to underserved communities.

## **EXPERT ANALYSIS**

### **Gorsuch's Originalism In The Age Of Bytes And Blockchains**

With U.S. Supreme Court confirmation hearings for Neil Gorsuch kicking off this week, it's worth considering how his originalist philosophy might affect cases

addressing individual privacy, government surveillance and private sector use of rapidly changing technologies. When people need practical solutions to legal questions at the intersection of modern technology, privacy and the law, originalism frequently fails, says April Doss of Saul Ewing LLP.

#### **Opinion**

### **Neil Gorsuch — Judging Like It's 1868**

The main argument from the moderate left for confirming Gorsuch is that he isn't the worst guy Trump could have nominated, and that he seems to view presidential power skeptically. But the Senate Judiciary Committee must establish whether this willingness to check executive power stems from a broader hostility to the assertion of federal judicial power over states, says Professor Priscilla Smith of Yale Law School.

### **Why We Need The Fairness In Class Action Litigation Act**

The polarized reaction to H.R. 985 indicates that class action and multidistrict cases are in trouble. It was a good idea to revise Rule 23 of the Federal Rules of Civil Procedure and to create the Judicial Panel on Multidistrict Litigation in the 1960s, but now these mechanisms are exceeding their limits and should be reined in, says Alexander Dahl of Brownstein Hyatt Farber Schreck LLP.

### **Killing Class Actions Means Everybody Loses**

Congress is trying to kill class actions again. H.R. 985 would impose a host of impossible requirements on the certification of class members, and close the courtroom doors to countless victims of serious fraud, negligence and other abuses. But it would also cause well-behaving companies to lose market share, profits and sales to cheaters who aren't policed, says Daniel Karon of Karon LLC.

### **Regulatory Pathways Emerge For Gene-Edited Products**

The U.S. Food and Drug Administration, Department of Agriculture and Environmental Protection Agency have finally indicated how they plan to regulate emerging genetic technologies. Their respective proposals differ in scope and approach, but each one has the potential to significantly influence how gene editing is integrated into product development, say Emily Marden and Deepti Kulkarni of Sidley Austin LLP.

### **Employer Hope Amid Pending Wage And Hour Law Changes**

While there is presently a sea of confusion and uncertainty swirling around U.S. Department of Labor overtime exemptions, employers can take solace in the fact that a recent decision from a Florida federal court demonstrates potential jurors are able to understand the proper use of exemptions and apply them fairly and to the benefit of employers accused of violating the Fair Labor Standards Act, says Daniel Krawiec of Hinshaw & Culbertson LLP.

## **LEGAL INDUSTRY**

#### **Analysis**

### **Why More Law Firms Are Moving To The Cloud**

The proportion of lawyers who report using the cloud has spiked in recent years, a trend experts say is driven by a recent uptick in confidence that the cloud can provide adequate privacy and security controls to law firms while making lawyers' lives easier.

### **Clients Leaving Firms With The Bill For Research**

Clients will refuse to pay costs for performing legal research more than any other task, while law firms only see a return of a quarter of all possible costs associated with that work, according to a new study.

### **Dewey Execs Say State's Secrecy Warrants Dismissal**

Former Dewey & LeBoeuf LLP executives Stephen DiCarmine and Joel Sanders asked a New York judge on Monday to dismiss all charges in the middle of their fraud retrial, saying prosecutors' failure to disclose details about witnesses' statements had crippled their defense.

## Alsup Suggests Uber, Waymo Let Young Attys Give Tutorials

U.S. District Judge William Alsup told counsel on both sides of Waymo and Uber's intellectual property dispute Monday that they should allow young lawyers to present an upcoming technological tutorial, the latest request in a sweep of orders looking to create opportunities for such attorneys.

## Plaintiffs Bar Perspective: Motley Rice's Linda Singer

A successful plaintiffs attorney focuses on her case and how to move that case forward effectively in the midst of often ongoing attempts to distract from the real issues and facts at hand, says Linda Singer, a member at Motley Rice LLC.

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#### **COMPANIES**



U.S. Chamber of Commerce  
American Bar Association  
American Federation of Labor and Congress of Industrial Organizations  
Uber Technologies Inc.  
Volkswagen  
AT&T Inc.  
Airbnb Inc.  
Allergan PLC  
Altera Corporation  
American Association for Justice  
American Civil Liberties Union  
American Federation of State, County and Municipal Employees  
American Hospital Association  
CSX Corporation  
Facebook  
Financial Services Roundtable  
Google Inc.  
HBR Consulting LLC  
International Brotherhood of Teamsters  
International Business Machines Corporation  
LinkedIn Corp.  
Massachusetts Bay Transportation Authority  
National Association of Broadcasters  
National Telephone Cooperative Association  
Oracle Corp.  
Pfizer Inc.  
Planned Parenthood Federation  
Public Knowledge  
SIFMA  
Sonoco Products Co.  
T-Mobile USA Inc.  
Teamsters Local Union 117  
Time Warner Cable  
Turner Broadcasting System Inc.  
Twitter Inc.  
Verizon Communications

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Communications Commission  
Central Intelligence Agency  
National Security Agency  
U.S. Department of Labor  
U.S. Department of the Treasury  
U.S. House of Representatives  
Animal and Plant Health Inspection Service  
Competition and Markets Authority  
Equal Employment Opportunity Commission  
Executive Office for Immigration Review  
Executive Office of the President



Federal Bureau of Investigation  
Federal Election Commission  
Federal Trade Commission  
Food and Drug Administration  
Illinois Supreme Court  
Internal Revenue Service  
Judicial Conference of the United States  
Michigan Department of Treasury  
National Labor Relations Board  
National Park Service  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Education  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of the Interior  
U.S. Senate

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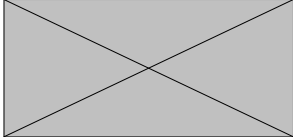
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 5/14/2019 7:44:08 AM  
**Subject:** The Firms That Lost The Most Attorneys In 2018

**EXTERNAL EMAIL**



**PUBLIC POLICY.**

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**Tuesday, May 14, 2019**

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**LAW360 400**

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**The Firms That Lost The Most Attorneys In 2018**

Among the firms that saw their head counts shrink the most in 2018, the losses were indicative of an aggressive lateral market, a shifting business strategy or very little at all in terms of the firm's overall performance, depending on whom you ask.

[Read full article »](#)

**The Dangers Of BigLaw's Merger-Happy Growth Strategy**

There are those who say large law firms can at times be like lemmings, playing a dangerous game of follow-the-leader with their peers. A record-breaking year for law firm mergers in 2018, which has driven drastic head count growth, is one example of that, some observers say.

[Read full article »](#)

**Identity Politics: How Firms Seal The Deal After A Merger**

As regional firms join forces with large national firms, they must decide how important it is to maintain those identities. Ultimately, choices on everything from the firm's name to local office culture must ensure old clients aren't left behind.

[Read full article »](#)

**TOP NEWS**

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**Breyer Says Court Conservatives Aren't Respecting Precedent**

An alarmed Justice Stephen Breyer wondered Monday "which cases the Court will overrule next" after the U.S. Supreme Court's conservative majority overturned yet another long-standing precedent it disagreed with, this time in a tax case.

[Read full article »](#)

**States Can't Be Sued In Other States' Courts, Justices Say**

The U.S. Supreme Court on Monday said the California Franchise Tax Board can't be sued in another state's court, handing a victory to the agency that had sought for years to end the practice on sovereign immunity grounds.

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Davis Wright Tremaine  
Debevoise & Plimpton  
Dechert  
Dickstein Shapiro  
Duane Morris  
Ferguson & Ferguson  
FisherBroyles  
Foley & Lardner  
Fox Rothschild  
GCA Law Partners  
Galanda Broadman  
Gibson Dunn  
Greenberg Traurig  
Harness Dickey  
Holland & Knight  
Honigman LLP

CLV000092

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### Trump Extends Asylum Restrictions For Another 90 Days

President Donald Trump issued a proclamation on Monday extending his so-called asylum ban for individuals who cross the U.S.-Mexico border outside of a designated port of entry, which would go into effect if a federal court injunction against the ban were to be lifted.

[Read full article »](#)

### Apple Must Face App Store Class Action, Justices Say

Apple will have to face consumers accusing the company of monopolizing the iPhone app market after the U.S. Supreme Court held Monday that customers are direct purchasers able to pursue a proposed antitrust class action under federal law.

[Read full article »](#)

### Trump Asks Judge To Reconsider Speeding Up Subpoena Suit

President Donald Trump on Monday protested a Washington, D.C., federal judge's plan to speed up his suit looking to block congressional access to his and his family's financial information, arguing the consolidation on short notice undermines his constitutional rights.

[Read full article »](#)

### Trump Lays Groundwork For Tariffs On All Chinese Goods

The Trump administration continued to escalate its trade standoff with China late Monday as it proposed new tariffs on about \$300 billion worth of goods that would effectively apply a 25% levy on all goods shipped to the U.S. from China.

[Read full article »](#)

### In Win For DOJ, Broadcaster Must Register As Foreign Agent

The U.S. Department of Justice on Monday applauded a federal judge's ruling finding Florida-based RM Broadcasting must register as an agent of a foreign principal due to a radio broadcast agreement with Russian state-owned media outlet Rossiya Segodnya, in the first such civil enforcement case since 1991.

[Read full article »](#)

## BANKING & SECURITIES

### CFPB Releases Plan For Multiyear Review Of Old Rules

The Consumer Financial Protection Bureau on Monday laid out how it will begin conducting required 10-year reviews of regulations it oversees to gauge whether they should be revised or even repealed, a process that's set to start with rules restricting banks' ability to charge overdraft fees.

[Read full article »](#)

### Congress May Need To Weigh In On Unresolved Crypto Issues

Federal regulators will likely need Congress to resolve some large unanswered questions in the cryptocurrency space in order for the industry to move forward with regulatory clarity, experts said at a conference on Monday.

[Read full article »](#)

## ENERGY & ENVIRONMENTAL

### High Court Won't Take Challenge To Ore. Fuel Standards

Hunton Andrews Kurth  
Husch Blackwell  
Jeff Anderson & Associates PA  
Jenner & Block  
Jones Day  
K&L Gates  
Kasowitz Benson  
Katten Muchin  
Kellogg Hansen  
Kilpatrick Townsend  
Knobbe Martens  
Latham & Watkins  
Lathrop Gage  
LeClairRyan  
LegalForce RAPC Worldwide  
Lucas Magazine  
McDonald Carano  
Michael Best  
Modus Law  
Morgan Lewis  
Morvillo Abramowitz  
Nelson Mullins  
Panish Shea  
Perkins Coie  
Quinn Emanuel  
Reed Smith  
Schwegman Lundberg  
Sidley Austin  
Skadden  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Strasburger & Price  
Ulmer & Berne  
Venable LLP  
WhatleyKallas  
Williams & Connolly  
WilmerHale  
Winstead PC  
Winston & Strawn  
Wolf Haldenstein  
Womble Bond Dickinson

**COMPANIES**

AAR Corp.  
AIDS Healthcare Foundation Inc.  
AT&T Inc.  
Aetna Inc.  
Allergan PLC  
Altman Weil Inc.  
American Civil Liberties Union  
American Federation of State,  
County and Municipal Employees

CLV000093

The U.S. Supreme Court on Monday said it will not hear a challenge to Oregon's low-carbon fuel standards by energy and automotive trade groups, keeping in place a Ninth Circuit decision that rejected arguments claiming the rules inappropriately disfavored out-of-state fuel sources.

[Read full article »](#)

### **EPA Shreds Suit Challenging Ozone Rulings In DC Circ.**

The U.S. Environmental Protection Agency on Friday urged the D.C. Circuit to dismiss claims it should have found larger areas in the Midwest and Southwest do not meet national ozone standards, saying courts have given the EPA "extreme" deference to make such determinations.

[Read full article »](#)

### **EPA Floats New Pesticide Risk Metric For Endangered Species**

The U.S. Environmental Protection Agency on Friday proposed revisions to its method for evaluating appropriate pesticide use around endangered species, drawing immediate criticism about its impact on bees, butterflies and pollinator-dependent plants.

[Read full article »](#)

## **TRANSPORTATION & INFRASTRUCTURE**

### **Amtrak Can't Have Total Rulemaking Power, High Court Told**

Railroads told the U.S. Supreme Court Monday that preserving a railway performance standards statute improperly resets constitutional boundaries that let Congress give an entity regulatory power over its commercial rivals and it can't be allowed to stand.

[Read full article »](#)

## **INSURANCE**

### **Dem AGs Say Feds Need To Clarify Requirements For AHPs**

A dozen Democratic state attorneys general urged the U.S. secretary of labor on Monday to make clear that association health plans formed under a Trump administration rule that was gutted by a federal court in March must comply with the Affordable Care Act.

[Read full article »](#)

## **EMPLOYMENT**

### **DOL Delays Deadlines For Joint Employer, OT Rate Feedback**

The U.S. Department of Labor on Monday gave the public 15 more days to weigh in on plans to tighten its test for joint employer status and exclude certain perks from the formula employers use to calculate workers' overtime pay.

[Read full article »](#)

### **DC Circ. Not Sure Info Can Be Property In FCA Suit**

A D.C. Circuit panel didn't seem ready Monday to buy into Kasowitz Benson's argument that information could be considered property for the purposes of the law firm's whistleblower lawsuit against four chemical companies.

[Read full article »](#)

## **COMPETITION**

American Fuel & Petrochemical Manufacturers  
American Medical Association Inc.  
American Trucking Associations Inc.  
Apple Inc.  
Association of American Railroads  
BASF SE  
Blagwell Inc.  
CRST International Inc.  
CVS Health Corp.  
Cantor Fitzgerald  
Capital One Financial Corp.  
Center for Biological Diversity  
Center for Constitutional Rights  
Clean Air Task Force  
Clearwire Corporation  
Colorado Bar Association  
Consumer Action  
Covestro AG  
Delaware State Bar Association  
Deutsche Bank AG  
Dow Chemical Co.  
General Motors  
Helmerich & Payne Inc.  
Huawei Technologies  
Jones Lang LaSalle Inc.  
LegalZoom.com Inc.  
Major League Baseball Inc.  
Major Lindsey & Africa  
Mazars USA LLP  
Mylan NV  
NFL Enterprises LLC  
National Collegiate Athletic Association  
National Parks Conservation Association  
New Jersey Civil Justice Institute  
New York Times Co.  
NextEra Energy Inc.  
Nintendo Co. Ltd.  
Novartis AG  
Pfizer Inc.  
Planned Parenthood Federation  
Platinum Partners LP  
Sierra Club  
Southern California Gas Co.  
Southern Poverty Law Center  
Spectrum Management Holding Co.  
Sprint Nextel Corporation  
T-Mobile USA Inc.

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## DOJ's CVS-Aetna Deal Set For Review, But Don't Call It A Trial

The U.S. Department of Justice deal clearing CVS' \$69 billion purchase of Aetna will be subjected to three days of live witness testimony next month in a scaled-down version of what a D.C. federal judge had indicated could be in store in the first-of-its-kind evidentiary proceeding.

[Read full article »](#)

## UK Antitrust Watchdog Bans 3 Directors For Rigging Bids

Britain's competition watchdog has banned three former directors of office fit-out businesses from running companies after it found they were involved in rigging the price of approximately £19 million (\$25 million) in bids as part of a criminal cartel.

[Read full article »](#)

## Teva A 'Consistent Participant' In Drug Price-Fixing, AGs Say

Teva Pharmaceuticals is at the center of a sprawling new lawsuit in Connecticut in which a coalition of 44 state attorneys general accuse the drugmaker and more than a dozen rivals of conspiring to keep generics prices artificially high.

[Read full article »](#)

## DC Circ. Told FAA Stifling Competition On Airport Runways

The Federal Aviation Administration is stifling competition by allocating runway slots at New York City's major airports, a company that sells a plan for reducing runway congestion told a D.C. Circuit panel Monday.

[Read full article »](#)

## PERSONAL INJURY

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## NJ Gov. Signs Bill Extending Time Limit For Sex Abuse Suits

People who have been sexually abused now have more time to file civil lawsuits in New Jersey under a new law signed Monday by Gov. Phil Murphy, a measure that comes amid the rising tide of claims against the Catholic Church.

[Read full article »](#)

## GOVERNMENT CONTRACTS

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## NY Construction Boss Admits To Water Contract Bribery Plot

The former head of a New York-based construction and engineering firm and a fundraiser for New York City Mayor Bill de Blasio admitted Monday to bribing a city official in order to secure infrastructure contracts and using his employees to funnel straw donations to political campaigns.

[Read full article »](#)

## INTERNATIONAL TRADE

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## China Makes Bid To Quell WTO's 'Existential Crisis'

The Chinese government on Monday took thinly veiled shots at the Trump administration's aggressive trade enforcement regime in a formal proposal it submitted outlining ideas for reforming the World Trade Organization in light of an "unprecedented existential crisis."

[Teva Pharmaceutical Industries Ltd.](#)

[Trump Organization Inc.](#)

[Twitter Inc.](#)

[United States Telecom Association](#)

[UnitedLex Corp.](#)

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[Washington Mutual Inc.](#)

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CLV000095

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## China Strikes Back At Trump With New Tariff Hikes

The Chinese government retaliated against the Trump administration's tariff hike with a duty increase of its own on Monday, increasing its levy on \$60 billion worth of U.S. goods and ramping up the ongoing trade dispute between the two economic powerhouses.

[Read full article »](#)

## TAX

### Justices Won't Review Okla. Gains Tax Deduction Law

The U.S. Supreme Court on Monday declined to hear a couple's challenge to an Oklahoma law that permits a tax deduction for capital gains from selling the stock of an in-state company but denies it for out-of-state companies.

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## IMMIGRATION

### Former Immigration Judges Tear Into 'Shocking' EOIR Paper

Dozens of former immigration judges on Monday condemned a recent Executive Office of Immigration Review factsheet aiming to debunk what it referred to as immigration "myths," saying it perpetuates "wildly inaccurate and misleading information" and amounts to "propaganda."

[Read full article »](#)

## NATIVE AMERICAN

### Tribal Council Candidates Say DOI Can't Nix Election Fight

Four Nooksack tribal council candidates who sued over an allegedly fraudulent election pressed their bid for a quick win in Washington federal court Friday, saying they are properly challenging an unjustifiable policy change that led the U.S. Department of the Interior to rubber-stamp the results of the voting.

[Read full article »](#)

### Wash. AG Raises Standard For Tribal Consent, Consultation

The Washington attorney general's office has adopted a new policy requiring that it get consent from Native American tribes before pursuing certain plans that affect them, and will hold off on filing lawsuits against tribes and their businesses until they've been given a chance to try to settle the dispute.

[Read full article »](#)

## TELECOMMUNICATIONS

### Top 3 Groups Lobbying The FCC

During the month of April, lobbyists representing major mobile carriers and a satellite provider asked the Federal Communications Commission to offer certainty in its auction results, increase access to shared spectrum and allow the combination of Sprint and T-Mobile.

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[U.S. Department of the Interior](#)  
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[U.S. Immigration and Customs Enforcement](#)  
[U.S. Senate](#)  
[U.S. Supreme Court](#)  
[United Nations](#)  
[Wage and Hour Division](#)  
[World Trade Organization](#)

## **Huawei Says Chinese Law Limits Network 'Cooperation'**

There's no room under Chinese law for technology companies to spy on U.S. companies for state interests, Huawei Technologies Co. Ltd. insisted to the Federal Communications Commission, despite lawmakers' and regulators' concerns that the practice would be widespread if such companies become more integrated in domestic networks.

[Read full article »](#)

## **Sprint, T-Mobile Deal Risks Affordable Internet Access: Group**

The planned merger between Sprint and T-Mobile threatens affordable internet access, a nonprofit group that promotes broadband access for low-income populations has told the Federal Communications Commission.

[Read full article »](#)

## **Dems Urge FCC To Collect Broadcast Industry Diversity Data**

Sen. Chris Van Hollen, D-Md., and Rep. Yvette Clarke, D-N.Y., have asked the Federal Communications Commission to reinstate its practice of collecting data on the racial, ethnic and gender makeup of the broadcast industry to determine whether there has been hiring discrimination.

[Read full article »](#)

## **WHITE COLLAR**

## **Rosenstein Invokes Mueller In Baltimore Law Grad Speech**

In his first public remarks since leaving the U.S. Justice Department, Rod Rosenstein quoted special counsel Robert Mueller in a speech Monday to law school graduates in Baltimore and cautioned them about the temptation to "disregard principles."

[Read full article »](#)

## **PEOPLE**

## **Akin Gump Snags Hill Veteran From Telecom Trade Group**

A former USTelecom executive who spent a decade advising members of Congress on telecom policy has left the trade group to join Akin Gump Strauss Hauer & Feld LLP's public law and policy practice.

[Read full article »](#)

## **EXPERT ANALYSIS**

### **Opinion**

## **Immigration Enforcement Under Trump Neglects Rule Of Law**

What President Donald Trump and his administration have described as a "humanitarian crisis" at the U.S. southern border is, in reality, a Trump-exacerbated crisis — which demands real solutions, not incendiary rhetoric, cruelty and lawlessness, says David Leopold of Ulmer & Berne.

[Read full article »](#)

## **Recent IRS Guidance Puts Multifamily Housing Back On Track**

April guidance from the Internal Revenue Service, saying rental projects may set aside units for specified groups such as military veterans without violating the general public use requirement for tax-exempt bond financing, addresses a disconnect in the rules that has stopped many projects cold, says Alexis Baker of Squire Patton Boggs.



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**Opinion**

**NY Should Think Twice Before Legalizing Sports Betting**

Instead of rushing to compete in sports betting with other states, New York state legislators should consider problems that have occurred in states that have legalized it, says Ronald Katz of GCA Law Partners.

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**Series**

**Judging A Book: Wood Reviews 'The Making Of A Justice'**

Retired U.S. Supreme Court Justice John Paul Stevens' new book, "The Making of a Justice," is required reading for anyone interested in 20th and 21st century America, says Seventh Circuit Chief Judge Diane Wood.

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**LEGAL INDUSTRY**

---

**Titan Of The Plaintiffs Bar: Panish Shea's Brian Panish**

When Rex Parris met Brian Panish, the Southern California attorney thought his co-counsel was the most arrogant man he had ever met. But Parris soon learned his first impression of the formidable Panish Shea & Boyle LLP litigator was way off the mark.

[Read full article »](#)

**Law Firm Revenue Up, Demand Down In Q1**

In the first quarter of the year, the legal industry enjoyed strong revenue growth despite a slight dip in demand, according to a survey of law firms conducted by Citi Private Bank's Law Firm Group, the key findings of which were made public on Monday.

[Read full article »](#)

**Skadden Partner Poised To Lead Del. Corporation Law Panel**

Veteran Skadden mergers and acquisitions partner Allison L. Land said she views it as an honor to be named vice chair of the Delaware State Bar Association's Corporation Law Council, likely positioning her as the first woman to chair the influential body two years from now.

[Read full article »](#)

**Weinstein Atty Drops Out, Citing Harvard Teaching Conflict**

A New York court has approved Harvard professor Ronald Sullivan's withdrawal from the trial team representing Harvey Weinstein on rape charges this fall, a move Sullivan attributed to an "unresolvable conflict" with his fall classes after the trial was moved to September.

[Read full article »](#)

**Colo. Bar Mourns Loss Of State's First Black Federal Judge**

U.S. District Judge Wiley Y. Daniel, the first African American to serve as a federal judge in Colorado, has died at age 72, prompting an outpouring of sympathy and praise for his legacy from Colorado officials and members of the state's legal community.

[Read full article »](#)

**LegalZoom Loses Bid To Ax Rival's TM Suit A 2nd Time**

A California federal judge on Monday refused to nix for the second time a trademark dispute between rival trademark search services over the name "Trademarkia," saying

the initial problems with the suit had been fixed and it should now proceed.

[Read full article »](#)

#### Interview

### 15 Minutes With Zappos' Chief Legal Counsel

Brandon Hollis, who leads the legal department at online shoe and clothing retailer Zappos, said one frustration of in-house counsel is when law firms provide a "safe" answer that ultimately doesn't help achieve business objectives, rather than taking thoughtful, smart risks with practical, business-minded advice.

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Aidala Bertuna  
Akin Gump  
Ballard Spahr  
Bradley Arant  
Brinks Gilson & Lione  
Consovoy McCarthy  
Cooley  
Davis Polk  
Davis Wright Tremaine  
Debevoise & Plimpton  
Dechert  
Dickstein Shapiro  
Ferguson & Ferguson  
FisherBroyles  
Fox Rothschild  
GCA Law Partners  
Galanda Broadman  
Gibson Dunn  
Greenberg Traurig  
Harness Dickey  
Holland & Knight  
Honigman LLP  
Husch Blackwell

Jeff Anderson & Associates PA  
Jenner & Block  
K&L Gates  
Kasowitz Benson  
Katten Muchin  
Kellogg Hansen  
Kilpatrick Townsend  
Knobbe Martens  
Lathrop Gage  
LeClairRyan  
LegalForce RAPC Worldwide  
Lucas Magazine  
McDonald Carano  
Michael Best  
Modus Law  
Morgan Lewis  
Morvillo Abramowitz  
Panish Shea  
Perkins Coie  
Reed Smith  
Schwegman Lundberg  
Sidley Austin  
Skadden  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Ulmer & Berne  
Venable LLP  
WhatleyKallas  
Williams & Connolly  
WilmerHale  
Winstead PC  
Winston & Strawn  
Wolf Haldenstein  
Womble Bond Dickinson

#### COMPANIES

Twitter Inc.  
Altman Weil Inc.  
Center for Biological Diversity  
T-Mobile USA Inc.  
AAR Corp.  
AIDS Healthcare Foundation Inc.  
AT&T Inc.  
Aetna Inc.  
Allergan PLC  
American Civil Liberties Union  
American Federation of State, County and Municipal Employees  
American Fuel & Petrochemical Manufacturers  
American Medical Association Inc.  
American Trucking Associations Inc.  
Apple Inc.

Association of American Railroads  
BASF SE  
Blaqwell Inc.  
CRST International Inc.  
CVS Health Corp.  
Cantor Fitzgerald  
Capital One Financial Corp.  
Center for Constitutional Rights  
Clean Air Task Force  
Clearwire Corporation  
Colorado Bar Association  
Consumer Action  
Covestro AG  
Delaware State Bar Association  
Deutsche Bank AG  
Dow Chemical Co.  
General Motors  
Helmerich & Payne Inc.  
Huawei Technologies  
Jones Lang LaSalle Inc.  
LegalZoom.com Inc.  
Major League Baseball Inc.  
Major Lindsey & Africa  
Mazars USA LLP  
Mylan NV  
NFL Enterprises LLC  
National Collegiate Athletic Association  
National Parks Conservation Association  
New Jersey Civil Justice Institute  
New York Times Co.  
NextEra Energy Inc.  
Nintendo Co. Ltd.  
Novartis AG  
Pfizer Inc.  
Planned Parenthood Federation  
Platinum Partners LP  
Sierra Club  
Southern California Gas Co.  
Southern Poverty Law Center  
Spectrum Management Holding Co.  
Sprint Nextel Corporation  
Teva Pharmaceutical Industries Ltd.  
Trump Organization Inc.  
United States Telecom Association  
UnitedLex Corp.  
ViaSat, Inc.  
Washington Mutual Inc.  
Zappos.com Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court

U.S. Department of Justice  
Federal Communications Commission  
U.S. Environmental Protection Agency  
U.S. Attorney's Office  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
California Franchise Tax Board  
Competition and Markets Authority  
Consumer Financial Protection Bureau  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Election Commission  
Federal Railroad Administration  
Federal Reserve System  
Fish and Wildlife Service  
Illinois Supreme Court  
Internal Revenue Service  
National Marine Fisheries Service  
National Railroad Passenger Corp.  
Nevada Gaming Control Board  
New York Attorney General's Office  
Nooksack Indian Tribe  
Office of the U.S. Trade Representative  
Oklahoma Supreme Court  
Oklahoma Tax Commission  
Quinault Indian Nation  
Samish Indian Nation  
Securities and Exchange Commission  
Seminole Tribe of Florida  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of the Treasury  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
United Nations  
Wage and Hour Division  
World Trade Organization

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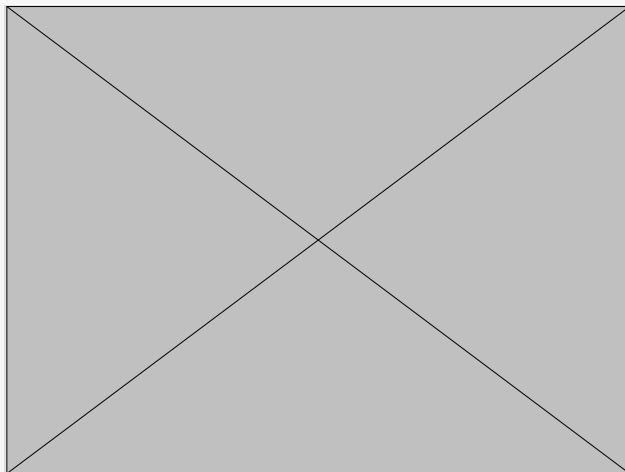
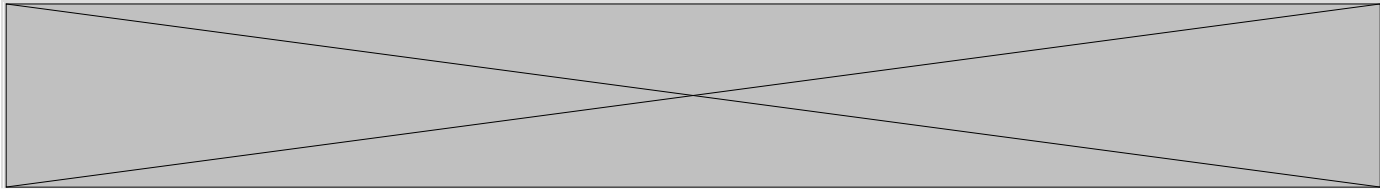
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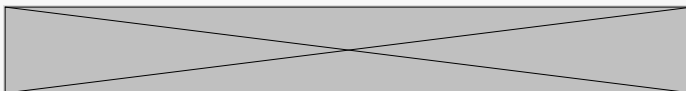
**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Marine Log News  
**Sent:** Tue 8/15/2017 9:11:53 PM  
**Subject:** Whistleblower to get \$1.59m in shipyard overbilling case; Ukrainian shipyard to design concrete-hulled towboat

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### **New Sanmar terminal tugs to have MTU engines**

**August 15, 2017** — Rolls-Royce and Turkey's Sanmar Shipyards have signed a contract for the delivery of eight MTU Series 4000 engines for four new terminal tugs. The contract includes an option for a further four engines. The tugs will be fitted with two 16V 4000 M73L MTU engines, each delivering an output of 2,700 kW at 1,850 rpm.

### **Stena ferry saves fuel, rolls less after ABB software upgrade**

The DEGO IV advanced speed governor and actuation system onboard the *Stena Scotia* was enhanced so that control over the vessel's propulsion system minimizes roll and rudder movements—delivering a new way of saving fuel while also improving crew comfort.

---

### **Ukrainian shipyard to design concrete-hulled towboat**

The Pallada Kherson state-owned plant has initiated the design of the tow boat. With a carrying capacity of 1,000



tonnes, it will be able to transport mineral and construction freight, agricultural products, and more.

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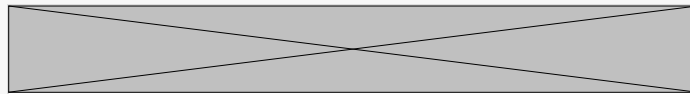
### Next generation walk-to-work gangway now operational

The gangway on the *VOS Start* is mounted on a height-adjustable pedestal with an integrated elevator enabling a continuous workflow. The pedestal makes it possible for the gangway to land on at any height, keeping the gangway horizontal and providing stepless transfers.

---

### Whistleblower to get \$1.59 million in shipyard overbilling case

Huntington Ingalls Industries has agreed to a \$9.2 million settlement of allegations that it violated the False Claims Act by knowingly overbilling the government for labor on U.S. Navy and Coast Guard ships at its shipyards in Pascagoula.



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**To:** Jason Roeller[jroeller@LasVegasNevada.GOV]  
**Cc:** bfretwell@LasVegasNevada.GOV[bfretwell@lasvegasnevada.gov]; Orlando Sanchez[osanchez@LasVegasNevada.GOV]; Lora Kalkman[lkalkman@LasVegasNevada.GOV]  
**From:** Carolyn G. Goodman  
**Sent:** Thur 2/26/2015 9:42:27 PM  
**Subject:** RE: Fire Alarm Office Staffing is at Critical levels

Hi Jason:

With City Hall closed tomorrow and our Manager out-of-town, I am emailing her and the Deputy City Manager, Orlando Sanchez, to look into this as soon as possible. Thank you for your open communication, and I am hopeful that they will find out what is occurring and work to resolve the problem(s) next week.

Mayor Goodman  
Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

-----Original Message-----

From: Jason Roeller  
Sent: Wednesday, February 25, 2015 11:53 AM  
To: Carolyn G. Goodman  
Cc: Jason Roeller  
Subject: Fire Alarm Office Staffing is at Critical levels

Mrs Mayor Goodman:

I work in the Fire Alarm Office and have for 15 years. Our office staff is painfully struggling thru a massive staff shortage. We are severely understaffed and have been for years now. Our employees are working massive amounts of overtime to keep our staffing requirements to safe levels. Our employees are working extra shifts, up to 16 hour days with only an 8 hour break in between and we are falling apart at the seams. Our E-staff is telling us that the hold up to hire new employees is due to lack of personnel at Human Resources being able to fast track our hiring procedure and we are being placed on a waiting list in the city before any new hiring process can even be started. People with 10 plus years on the job are quitting because their family life is struggling due to the demands being placed on our employees. These are great employees, hard working , and dedicated employees who help save lives everyday. Without staffing there wont be enough personnel to answer 9-11 calls from the public and hold times will increase.

Our call volume has doubled since 2000 and yet our manpower has barely changed during that time. We are fighting for this city and county to be safe however we need personnel immediately. I have never written city hall about our problems ever but our cries for help are not being answered. I have talked to our chiefs numerous times and our hiring is at a snails pace. We have only 5 people in a training class where we need 15. We need 15 people now.

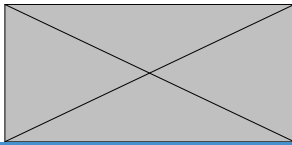
I am begging that HR please fast track our hiring process. It is critical so we are not having 9-11 calls be left on hold or go unanswered. Please help us. We are doing everything we can to serve our public. However without adequate manpower more employees will leave us. We can not afford to lose any more employees. I do not wish to be a whistleblower here and hope that my name be confidential for fear of retaliation. I love my job , we just need help.

CLV000107

Sincerely,

Jason Roeller  
Las Vegas Fire & Rescue  
Fire Communication Specialist for 15 years

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 6/7/2017 8:01:39 AM  
**Subject:** [Marketing Mail] Red-State Cities Face Uphill Battle To Keep Paris Pledge



**PUBLIC POLICY.**

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## TOP NEWS

### Analysis

#### Red-State Cities Face Uphill Battle To Keep Paris Pledge

Scores of U.S. cities say they will honor the goals laid out by the Paris climate agreement despite President Donald Trump's vow to pull out of the deal, but cities in climate-policy-resistant Republican states won't have as much leeway to clamp down on greenhouse gas emissions as their blue-state counterparts, experts say.

[Read more »](#)

### Analysis

#### Key Questions About Move To Privatize Air Traffic Control

President Donald Trump's full-throated backing of efforts to spin off air traffic control functions from the Federal Aviation Administration into a nonprofit, nongovernmental organization is an opening salvo in what's likely to be a pitched political battle over revamping a central component of the nation's air travel system. Here are several key questions that Congress will have to answer when it tackles negotiations on ATC reform. [Read more »](#)

#### Trump Picks Kirkland & Ellis Partner For Top DOJ Enviro Spot

President Donald Trump on Tuesday said he would nominate Kirkland & Ellis LLP partner Jeffrey Bossert Clark, who represented BP Exploration & Production Inc. during the litigation surrounding the Deepwater Horizon disaster, to serve as assistant attorney general for the U.S. Department of Justice's Environment and Natural Resources Division. [Read more »](#)

#### Michelle Lee Resigns As USPTO Director

U.S. Patent and Trademark Office Director Michelle Lee resigned from her post on Tuesday, the Trump administration announced. [Read more »](#)

### Analysis

#### IRS Service Advances Leaving Tax Pros Behind, Olson Says

While the IRS has been working on a web-based service initiative in an attempt to overhaul the taxpayer experience, practitioner needs have largely been left out of those modernization efforts, National Taxpayer Advocate Nina Olson told Law360 in a recent interview. [Read more »](#)

#### 16 States Back Trump's Travel Ban In Amicus Brief

Sixteen states filed an amicus brief in the U.S. Supreme Court on Tuesday in support of President Donald Trump's travel ban on nationals from six Muslim-

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Holland & Knight  
KaiserDillon  
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Kotz Sangster  
Latham & Watkins  
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McKool Smith  
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majority nations, arguing that the Constitution does not protect nonresident immigrants entering the U.S. and that the court must presume the executive order was valid and drafted in good faith. [Read more »](#)

### Senate Passes VA Reform Bill Allowing For Easier Firing

The Senate on Tuesday passed a series of reforms to the U.S. Department of Veterans Affairs, in a bipartisan bill intended to increase whistleblower protections and allow VA managers greater ability to fire employees. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Senate Panel OKs FERC Noms, BigLaw Atty As DOI No. 2

The Federal Energy Regulatory Commission could soon be up and running again after a Senate panel advanced two new members Tuesday, as part of a slate of President Donald Trump's nominees including a Brownstein Hyatt Farber & Schreck LLP partner for a Department of the Interior post. [Read more »](#)

### House Dems Look To Institutionalize Enviro Justice Offices

Three House Democrats on Monday introduced a package of legislation intended to enshrine a commitment to environmental justice into law and ensure the White House and the U.S. Environmental Protection Agency have staffers dedicated to those issues. [Read more »](#)

### 7 Democratic AGs Challenge Trump's EPA Over Pesticide

A coalition of seven Democratic attorneys general on Monday challenged a decision by the Trump administration's Environmental Protection Agency to delay new safety rules on a common pesticide found to harm children's development, arguing that the agency violated federal law by refusing to institute safety standards. [Read more »](#)

### DC Circ. Won't Rethink Challenge To EPA Sewage Rule Method

The D.C. Circuit declined Tuesday to rethink its conclusion that it lacks jurisdiction to hear an industry coalition's challenge of the U.S. Environmental Protection Agency's decision to apply the Eighth Circuit's finding that the agency improperly crafted water pollution rules only to states within that circuit court's jurisdiction. [Read more »](#)

## MEDIA & ENTERTAINMENT

### Senate Dems Seek Hearing On Sinclair-Tribune Deal

Eight Senate Democrats on Monday asked the chairmen of the Senate Commerce and Judiciary committees to conduct hearings on the proposed Tribune-Sinclair merger and on a Federal Communications Commission media ownership rule change helping make way for the deal. [Read more »](#)

### Pa. Appeals Court Won't Revive Ex-Rep's Defamation Suit

A Pennsylvania appellate court agreed Tuesday to throw out a former state representative's efforts to revive defamation claims against a CBS affiliate in Pittsburgh after he failed to make required filings. [Read more »](#)

## REAL ESTATE

### NJ Developer Ducks Challenges Over Apartment Buildings

A New Jersey state appeals court on Tuesday refused to disturb the municipal approvals granted for two apartment complexes in Elizabeth, New Jersey, knocking down challenges that the developer claims were made on behalf of a competitor. [Read more »](#)

### Beckham Wins Approval For Miami Soccer Stadium Land Deal

Soccer legend David Beckham on Tuesday took a major step toward bringing a Major League Soccer expansion team to Miami, Florida, as county commissioners

Proskauer Rose  
Quarles & Brady  
Reed Smith  
Sanford Heisler  
Scarinci Hollenbeck  
Sedgwick LLP  
Thompson Hine  
Venable LLP

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American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Federation of State, County and Municipal Employees  
American International Group Inc.  
Association of American Railroads  
BP p.l.c.  
Broadcom Ltd.  
California Teachers Association  
Carlyle Group LP  
Caterpillar Inc.  
Chevron Corporation  
Computer & Communications Industry Association  
Costco Wholesale Corporation  
Entertainment Software Association  
Etsy Inc.  
Facebook  
Federalist Society  
Florida Bar Association  
Google Inc.  
Home Depot, Inc.  
IMF Bentham Ltd.  
Imperial Sugar Company  
LinkedIn Corp.  
Major League Soccer LLC  
Mercury Public Affairs  
National Immigration Law Center  
National Right to Work Legal Defense Foundation  
Natural Resources Defense Council  
Netflix Inc.  
New York University  
Pittsburgh Penguins  
Range Resources Corporation  
Raytheon Company  
Reddit Inc.

approved a \$9 million land sale that allows his ownership group to complete a proposed stadium site near the city's downtown. [Read more »](#)

## EMPLOYMENT

### Ill. Public Workers Take Union Fee, Rep Suits To High Court

A pair of Illinois suits appealed to the U.S. Supreme Court on Tuesday aim to weaken the political influence of public employee unions by challenging the constitutionality of "fair share fees" paid to unions and "exclusive representation" by the unions. [Read more »](#)

### Fla. Court Affirms Governor's Veto Of Firefighters' Raise

A Florida appeals court Tuesday affirmed dismissal of an unfair labor charge against the governor for vetoing a budget appropriation that granted state-employed firefighters a raise, ruling the governor has clear constitutional authority to veto specific appropriations bill provisions, and the Legislature let the veto stand. [Read more »](#)

## PRIVACY & CONSUMER PROTECTION

### Senate OKs Kellogg Hansen Partner As CIA General Counsel

The Central Intelligence Agency could soon have a new general counsel after the Senate voted to confirm a Kellogg Hansen Todd Figel & Frederick PLLC partner and Bush administration veteran to the post Tuesday. [Read more »](#)

## PRODUCT LIABILITY

### Judge Allows Flint Residents' Constitutional Suit To Proceed

Flint residents on Monday saw a Michigan federal court keep alive a lawsuit lodging constitutional claims against the city, its former emergency managers and some state officials for parts played in Flint's water contamination crisis. [Read more »](#)

## INTERNATIONAL TRADE

### US, Mexico Reach Revised Sugar Trade Agreement

Officials from the U.S. and Mexico announced Tuesday that they have reached an agreement in principle to revise a deal regarding the suspension of anti-dumping and countervailing duties on Mexican sugar, a move that comes after U.S. companies raised red flags over alleged flaws in the initial agreement. [Read more »](#)

### China Cybersecurity Law Raises Trade Concerns: Tech Group

The Computer & Communications Industry Association told the president's National Economic Council on Monday that China's new cybersecurity law could harm trade and might violate the country's international commitments, saying the administration must urge China to change course on the "damaging" policies. [Read more »](#)

## TAX

### Gaming Group Hits Chicago With Another 'Netflix Tax' Suit

A video gaming industry association joined Netflix customers in challenging Chicago's so-called Netflix tax by filing a lawsuit of its own Monday that claims an interpretation of the city's amusement tax illegally discriminates against online games. [Read more »](#)

## IMMIGRATION

Service Employees International Union

Sinclair Broadcast Group, Inc.

Sprint Nextel Corporation

Tencent Holdings

Tribune Media Co.

Tyler Technologies, Inc.

U.S. Chamber of Commerce

Verizon Communications

Warburg Pincus LLC

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services

Central Intelligence Agency

Congressional Budget Office

Department of Commerce

Employment and Training Administration

European Union

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications Commission

Federal Energy Regulatory Commission

Government Accountability Office

Internal Revenue Service

International Monetary Fund

National Economic Council

New York Attorney General's Office

Pennsylvania Public Utility Commission

Pennsylvania Supreme Court

U.S. Department of Defense

U.S. Department of Education

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Transportation

U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Patent and Trademark Office

U.S. Senate



## 'Giuliani Memo' Moot In Travel Ban Case, Trump Admin Says

The federal government has countered allegations that it is obstructing the release of a memo drafted by former New York Mayor Rudy Giuliani that supposedly outlines President Donald Trump's controversial travel ban, saying Monday that it's inappropriate to probe beyond Trump's stated national security purpose for the now-blocked measure. [Read more »](#)

## Labor Sec. Signals Scrutiny Of Visa Program Abuse

The head of the U.S. Department of Labor signaled Tuesday that the agency will be taking a tough stance on visa abuse and hinted at an increased utilization of criminal referrals, while the department noted that updates may be on the horizon for an application used for H-1B visas. [Read more »](#)

## TELECOMMUNICATIONS

### Amazon, Mozilla Plan Net Neutrality E-Protest

A range of online companies and advocacy groups are planning a July 12 online protest to "save net neutrality" as the Federal Communications Commission weighs nixing the Obama-era Open Internet Order, with Amazon.com Inc., Mozilla Corp. and Etsy Inc. among the participants. [Read more »](#)

### FCC Warned Paperwork Change May Raise Pole Rates

A Federal Communications Commission vote to nix a regulatory reporting requirement for carriers deemed unnecessary will likely lead to increased rates for pole attachments, an internet and television trade group warned Monday, undermining the agency's policy goals for broadband. [Read more »](#)

## TEXAS

### Texas Gov. Announces July Special Legislative Session

Texas Gov. Greg Abbott announced Tuesday that the state's Legislature will meet for a special session, beginning on July 18, to consider issues ranging from limits on local and state government spending caps to health care and social issues. [Read more »](#)

## WHITE COLLAR

### Philly DA Can't Shake Charges Of Misusing PAC Money, Autos

A Pennsylvania federal judge declined to dismiss charges accusing Philadelphia District Attorney Seth Williams of misusing both money from his political action committee and publicly owned vehicles in a pair of orders issued Monday and Tuesday. [Read more »](#)

## PEOPLE

### Venable Hires Ex-DOJ Legislative Affairs Officials In DC

Two former officials in the U.S. Department of Justice in charge of handling congressional affairs joined Venable LLP this week, adding to the firm's capacity to represent clients in a range of government investigations. [Read more »](#)

### Ex-US Sen. David Vitter Joins Butler Snow In La.

Butler Snow PLLC said Tuesday that former U.S. Sen. David Vitter has joined the firm's business department in Louisiana, where he will help grow and shape the firm's presence in the state. [Read more »](#)

## EXPERT ANALYSIS

## When Russia Investigations Collide

As a former acting general counsel for the U.S. House of Representatives, I have been getting a lot of questions about what might be in store with the concurrent investigations into Russia's possible influence on the 2016 election. To grasp the potential for conflict, it's helpful to understand the key players and their respective powers, says William Pittard of KaiserDillon PLLC. [Read more »](#)

### Opinion

## Big Business Lobby Tries To Hobble Litigation Finance, Again

In its most recent petition advocating mandatory disclosure of litigation finance, the U.S. Chamber of Commerce simply rehashes the same arguments from its previous failed efforts to convince the Committee on Rules of Practice and Procedure of the dire implications of undisclosed funding relationships, say members of litigation funder IMF Bentham Ltd. [Read more »](#)

## LEGAL INDUSTRY

### 3 Tips For Finding The Right Fee Arrangement

Finding a value-based fee arrangement that works for both law firm and client can be tricky, but the process can be simplified by balancing the complexity of the work with client expectations, according to a Monday presentation at the ACC Legal Operations conference in Chicago. [Read more »](#)

### Chadbourn Still Stalling On Discovery, Female Lawyers Say

Chadbourn & Parke LLP is stonewalling on discovery in a \$100 million proposed gender bias class action until the firm's bid to toss the case plays out, the female attorneys behind the suit told a New York federal court Monday. [Read more »](#)

### Davis Polk Partner In Calif. Hit By Train, Killed

Davis Polk & Wardwell LLP partner and head of its India practice Kirtee Kapoor died on Monday after reportedly being struck by a train in a Northern California town near Menlo Park. [Read more »](#)

### Legal Tech Download: Magic Circle AI And Hogan Lovells' App

The world of legal technology is quickly evolving, with new products aimed at aiding lawyers coming to market in rapid succession. Here, Law360 takes a look at seven major recent developments in legal tech. [Read more »](#)

### Latham 'Hoodwinked' IP Suit Judge, Calif. High Court Told

Two ex-Flir Systems executives urged the California Supreme Court Tuesday to revive their malicious prosecution claims against Latham & Watkins LLP for bringing a trade secrets suit in bad faith, arguing Latham's initial success "hoodwinking" a lower court judge can't now preclude suing the firm. [Read more »](#)

### Fla. Bar Urges 3-Judge Panels For County Court Appeals

The Florida Bar urged the state Supreme Court on Tuesday to adopt rules requiring that appeals from county courts be heard by three-judge panels, a change some justices said could strain resources in small counties. [Read more »](#)

## JOB

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### Legal Analyst (Paralegal)

Metropolitan Water District  
Los Angeles, California

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Akerman  
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Butler Snow LLP  
Butzel Long  
Campbell Campbell Edwards  
Chadbourn & Parke  
Clark Hill  
Clifford Chance  
Davis Polk  
Dickstein Shapiro  
Eagan Avenatti  
Fenwick & West  
Foster Swift  
Fraser Trebilcock  
Hart McLaughlin  
Haynes and Boone  
Hogan Lovells  
Holland & Knight  
KaiserDillon  
Kellogg Hansen  
Kirkland & Ellis  
Kotz Sangster  
Latham & Watkins  
Maddin Hauser  
McKool Smith  
Norton Rose Fulbright  
Panish Shea  
Plunkett Cooney  
Proskauer Rose  
Quarles & Brady  
Reed Smith  
Sanford Heisler  
Scarinci Hollenbeck  
Sedgwick LLP  
Thompson Hine

#### COMPANIES

Amazon.com Inc.  
American Bar Association  
American Civil Liberties Union  
Facebook  
American Federation of Labor and Congress of Industrial Organizations  
American Federation of State, County and Municipal Employees  
American International Group Inc.  
Association of American Railroads  
BP p.l.c.  
Broadcom Ltd.  
California Teachers Association

Carlyle Group LP  
Caterpillar Inc.  
Chevron Corporation  
Computer & Communications Industry Association  
Costco Wholesale Corporation  
Entertainment Software Association  
Etsy Inc.  
Federalist Society  
Florida Bar Association  
Google Inc.  
Home Depot, Inc.  
IMF Bentham Ltd.  
Imperial Sugar Company  
LinkedIn Corp.  
Major League Soccer LLC  
Mercury Public Affairs  
National Immigration Law Center  
National Right to Work Legal Defense Foundation  
Natural Resources Defense Council  
Netflix Inc.  
New York University  
Pittsburgh Penguins  
Range Resources Corporation  
Raytheon Company  
Reddit Inc.  
Service Employees International Union  
Sinclair Broadcast Group, Inc.  
Sprint Nextel Corporation  
Tencent Holdings  
Tribune Media Co.  
Tyler Technologies, Inc.  
U.S. Chamber of Commerce  
Verizon Communications  
Warburg Pincus LLC

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Executive Office of the President  
U.S. Environmental Protection Agency  
Federal Communications Commission  
Department of Commerce  
Federal Bureau of Investigation  
National Economic Council  
U.S. House of Representatives  
U.S. Senate  
Bureau of Citizenship and Immigration Services  
Central Intelligence Agency  
Congressional Budget Office  
Employment and Training Administration  
European Union

Federal Aviation Administration  
Federal Energy Regulatory Commission  
Government Accountability Office  
Internal Revenue Service  
International Monetary Fund  
New York Attorney General's Office  
Pennsylvania Public Utility Commission  
Pennsylvania Supreme Court  
U.S. Department of Defense  
U.S. Department of Education  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Patent and Trademark Office  
Wage and Hour Division  
World Trade Organization

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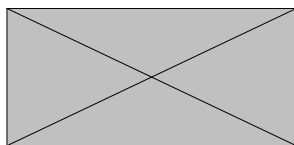
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 12/22/2016 10:04:54 AM  
**Subject:** [Marketing Mail] Obama's 11th-Hour Offshore Drilling Ban May Be Hard To Sink



**PUBLIC POLICY**

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**Thursday, December 22, 2016**

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## **TOP NEWS**

### **Analysis**

#### **Obama's 11th-Hour Offshore Drilling Ban May Be Hard To Sink**

President-elect Donald J. Trump would likely face an uphill battle trying to undo outgoing President Barack Obama's indefinite blockage of oil and gas drilling in large swaths of the Arctic and Atlantic Oceans, though the resulting legal fight could clarify the currently untested limits of presidential authority under U.S. offshore law, experts say.

#### **US Will Lose Billions If Trump Ends DACA, Report Says**

President-elect Donald Trump's promise to end the program that allows young unauthorized immigrants who were brought to the U.S. as children to apply for deferred deportation and receive work permits could cost the nation billions of dollars, according to a report by the Immigrant Legal Resource Center.

#### **Trump Taps Calif. Academic To Head New Trade Panel**

President-elect Donald Trump announced Wednesday that he will form a new trade advisory panel within the White House, selecting University of California-Irvine professor Peter Navarro to be the panel's leader and a top presidential trade adviser.

## **BANKING & SECURITIES**

#### **Trump Treasury Nominee Faces Questions On Dodd-Frank**

The top Democrat on the Senate Banking Committee on Wednesday asked Steven Mnuchin, President-elect Donald Trump's pick to lead the Treasury Department, to provide more details on his plans to supervise regional banks, enforce fair lending standards and deal with other regulatory issues upon confirmation.

## **ENERGY & ENVIRONMENTAL**

### **Analysis**

#### **The Biggest Environmental Law Rulings Of 2016**

U.S. courts grabbed headlines in 2016 with rulings in several important environmental law cases, approving Volkswagen's \$14.7 billion settlement over its emissions cheating scandal, allowing the U.S. Environmental Protection Agency to revoke coal permits and blocking key federal rules backed by the Obama administration.

#### **High Court Must Settle CWA Jurisdiction Issue, NAM Says**

The National Association of Manufacturers continued its push Tuesday to get the U.S. Supreme Court to review the Sixth Circuit's finding that it has jurisdiction to hear challenges to the U.S. Environmental Protection Agency and Army Corps of Engineers' controversial Clean Water Rule, saying the muddled jurisdiction question

## **LAW FIRMS**

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Bracewell

Bush Ross

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Cravath Swaine

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Dickinson Wright

Earthjustice

Fisher Phillips

Friedman Kaplan

Gibson Dunn

Greenberg Traurig

Gupta Wessler

Hobbs Straus

Holland & Hart

Hunton & Williams

Jones Day

Kanji & Katzen

Kelly Rimmel

Mayer Brown

Miller & Chevalier

Morgan Lewis

Paul Hastings

Reed Smith

Segal Roitman

Shook Hardy

Sidley Austin

Squire Patton Boggs

Steptoe & Johnson PLLC

Stroock & Stroock

Troutman Sanders

Wilson Elser

Zuckerman Law

## **COMPANIES**

CLV000117

must be clarified.

### **FWS Takes Humpback Whales Off Endangered Species List**

The U.S. Fish and Wildlife Service formally updated its list of endangered and threatened species Wednesday, removing the species-level endangered listing for humpback whales, and delisting altogether nine of the whale's 14 distinct populations.

### **EPA's New Plant Carbon Rules Get Support At DC Circ.**

States, academics, environmental groups and power companies told the D.C. Circuit on Wednesday that the U.S. Environmental Protection Agency rightly concluded that carbon capture and storage technologies should be considered the "best system of emission reduction," urging the court to strike down challenges brought by a host of opposing states and industry players.

### **Wyo. Urges 10th Circ. To Uphold 'Open Land' Suit Ruling**

Wyoming's attorney general urged the Tenth Circuit to uphold a lower court's decision to toss a lawsuit filed by conservation groups that alleges the Legislature passed trespassing laws that improperly prevent citizens from entering "open land" to collect information about agricultural pollution.

## **HEALTH & LIFE SCIENCES**

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### **9th Circ. Can't Stall Suit Over Planned Parenthood Tape**

A California federal judge said Wednesday he would not stay Planned Parenthood's suit against anti-abortion activists who lied about their identities then released videos purporting to show the improper sale of fetal tissue, saying he didn't want the case to languish until the Ninth Circuit decides the fate of some of its claims.

## **TRANSPORTATION & INFRASTRUCTURE**

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### **Chao's Transpo Agenda Targets Safety, Red Tape**

President-elect Donald Trump's transportation secretary pick, Elaine L. Chao, has told lawmakers that if the Senate confirms her, she will prioritize enforcing safety regulations effectively and expediting the approval processes for getting infrastructure projects off the ground.

### **Feds Back Mass. In 1st Circ. Fight Over Paid Sick Time Law**

The U.S. government told the First Circuit on Tuesday that federal law does not preempt Massachusetts' paid sick leave law and a lower court should not have barred the commonwealth from enforcing its law against railroads.

## **EMPLOYMENT**

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### **Judge Says Treasury 'Miserably Failed' In Auto Pension Fight**

The U.S. Department of Treasury will have to turn over evidence related to decisions it made in General Motors' 2009 bankruptcy for a related pension plan dispute after a Washington, D.C., judge found Tuesday the agency "miserably failed" to explain why the records are privileged.

### **Washington, DC, Adopts Expansive Paid Family Leave Plan**

Washington, D.C., lawmakers on Tuesday passed one of the nation's most generous paid family leave proposals, which gives workers eight weeks paid leave to care for a new child as well as six weeks paid leave to help ailing family members.

## **PRIVACY & CONSUMER PROTECTION**

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AT&T Inc.  
American Bar Association  
American Petroleum Institute Inc.  
American Public Power Association  
Anheuser-Busch Inbev SA/NV  
Apple Inc.  
Arch Coal Inc.  
Audi AG  
BP p.l.c.  
Banco Santander SA  
Bank of America Corporation  
Business Intelligence Associates Inc.  
CSX Corporation  
CTIA  
Calpine Corporation  
Center for Biological Diversity Inc.  
Citigroup Inc.  
Cray Inc  
Dollar Tree Inc.  
Environmental Defense Fund Inc.  
General Motors  
Goldman Sachs Group Inc.  
Goodyear Tire & Rubber Co.  
Honda Motor Co. Ltd.  
Immigrant Legal Resource Center  
International Brotherhood of Electrical Workers  
International Business Machines Corporation  
Johnson & Johnson  
Lockheed Martin  
Luminant Generation Co. LLC  
Murray Energy Corp.  
National Association of Manufacturers  
National Grid PLC  
Natural Resources Defense Council  
Nintendo Co. Ltd.  
OneWest Bank Group LLC  
PG&E Corporation  
Planned Parenthood Federation  
Sierra Club  
Sinclair Broadcast Group, Inc.  
Sonoco Products Co.  
Space Exploration Technologies Corp.  
T-Mobile USA Inc.  
The Boeing Company  
United Continental Holdings Inc.  
United Launch Alliance LLC



## USTR Report Names New International Piracy Dangers

Stream-ripping sites and piracy apps are two growing dangers to international enforcement of intellectual property law, United States trade officials said in a report released Wednesday.

## House Group Warns Against Proposals To Weaken Encryption

A bipartisan House group tasked with tackling the thorny legal and policy issues surrounding encryption recommended on Tuesday that Congress refrain from taking steps to require service providers to help law enforcement bypass security measures, but instead explore alternatives such as encouraging increased collaboration between the public and private sectors.

## GOVERNMENT CONTRACTS

### Probe Of United Launch Exec's Comments Finds No Bid Bias

The U.S. Department of Defense's internal watchdog has concluded that the agency did not show contracting favoritism to United Launch Alliance over competitors like SpaceX for military launches, saying a probe into controversial comments made by ULA's vice president uncovered no impropriety.

## INTERNATIONAL TRADE

### EU Seeks Input On Global Investment Court Proposal

The European Commission on Wednesday requested input from the public on its efforts to set up an international court that will adjudicate all investor-state disputes as a replacement for the patchwork of investment treaties and arbitration systems currently in place.

### WTO Tweaks Policy Reviews Amid Rising Membership

The World Trade Organization Wednesday finalized some modest tweaks to the system it uses to review members' trade laws and policies to accommodate for the multilateral body's steadily growing ranks.

## TAX

### Mich. Appeals Court Backs State Decision To Exit Tax Deal

The Michigan Court of Appeals on Tuesday kept in line with earlier court rulings in finding that a multistate tax compact was not a binding contract, rejecting Solo Cup Operating Corp.'s challenge to Michigan's decision to withdraw from the accord.

### EU Top Court Rules Against Tax Scheme On Foreign Holdings

The European Court of Justice on Wednesday set aside a lower court's decision on tax breaks granted to Spanish companies on their foreign holdings when it found that these tax breaks constituted illegal state aid.

## IMMIGRATION

### DHS Sends EB-5 Reform Plan To OMB For First Look

U.S. Citizenship and Immigration Services is taking steps toward reforming the EB-5 immigration investor program, with the agency asking the Office of Management and Budget on Tuesday to review a proposed rule-making to update the program's regulations.

## NATIVE AMERICAN

### Tribe, Opposing Maine, Wants In On EPA Water Quality Suit

United States Telecom Association  
UnitedLex Corp.  
Verizon Communications  
Volkswagen  
Washington Post Co.  
Xcel Energy Inc

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Land Management  
Central Intelligence Agency  
Confederated Tribes of the Colville Reservation  
Defense Intelligence Agency  
European Commission  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Maritime Commission  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Food and Drug Administration  
Government Accountability Office  
Houlton Band of Maliseet Indians  
Maine Department of Environmental Protection  
National Aeronautics and Space Administration  
National Economic Council  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
National Railroad Passenger Corporation  
National Security Agency  
National Security Council  
Office of the Comptroller of the Currency  
Office of the Director of National Intelligence  
Office of the U.S. Trade Representative  
Peace Corps  
Pension Benefit Guaranty Corp.

CLV000119



The Houlton Band of Maliseet Indians asked a Maine federal court Tuesday to let it intervene to oppose the state's suit challenging the U.S. Environmental Protection Agency's tightening of its water quality standards for tribal waters, saying the more restrictive rules ensure the tribe can continue its fishing traditions.

### **Ruling Stands Allowing Seminoles To Continue Card Games**

A federal judge Tuesday denied Florida's bid to alter his ruling that a state breach allows the Seminole Tribe of Florida to keep offering card games such as blackjack and baccarat for the remainder of their gaming agreement, saying the state's motion "simply reargues the merits."

## **TELECOMMUNICATIONS**

### **FCC Approves Wireless Industry Network Resiliency Plan**

The Federal Communications Commission said Tuesday that it has agreed to an industry-developed framework for improving wireless resiliency and transparency during emergencies without adopting new regulations, saying the voluntary path is a "reasonable approach."

### **Honda Seeks FCC Waiver On Entertainment System Access**

Honda Motor Co. Ltd. asked the Federal Communications Commission on Tuesday for a limited-time waiver of accessibility rules for rear entertainment systems in several vehicles, saying it wasn't aware that the law applied to automakers but it intends to make changes and that stopping production could lead to employee layoffs or furloughs.

### **FCC's Wheeler Defends ISP Privacy Rules To Sen. Flake**

Outgoing Federal Communications Commission Chairman Tom Wheeler has fired back at Republican Sen. Jeff Flake of Arizona on privacy rules for broadband providers adopted in October, writing in a letter posted publicly Wednesday that the process before the vote was "commonplace" and the plan protects consumers.

### **FCC Announces \$50M In New Subsidies For Rural Broadband**

The Federal Communications Commission on Monday ordered an additional \$50 million annually in subsidies to build out broadband infrastructure in rural areas after interest in the program from local carriers exceeded the plan's initial \$150 million allocation.

### **Sinclair Broadcast Slams Reports Of Slanted Trump Coverage**

Sinclair Broadcast Group Inc. recently pushed back on reports it provided Donald Trump preferential coverage in exchange for access, saying that the TV broadcaster never promised positive coverage of the then-Republican nominee and that Hillary Clinton's campaign was given the same interview offers as Trump's.

## **EXPERT ANALYSIS**

### **Boosting Contractor Employee Whistleblower Protections**

Congress recently enacted S. 795, which permanently extends robust legal protections to employees of federal contractors, subcontractors and grantees who report waste, fraud or abuse. These new anti-retaliation provisions will be a powerful tool to combat waste, fraud and abuse in government contracts and grants, which total about half a trillion dollars annually, says Jason Zuckerman of Zuckerman Law.

### **FERC Income Tax Changes Could Impact Entire Energy Sector**

The Federal Energy Regulatory Commission recently issued a notice of inquiry concerning the treatment of income taxes for ratemaking and cost recovery purposes by pass-through entities. Tax changes in this area could have significant effects on entities in the oil, gas and electric sectors, and possibly chill investment in energy infrastructure, say attorneys with Morgan Lewis & Bockius LLP.

Seminole Tribe of Florida  
Social Security Administration  
U.S. Air Force  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Supreme Court  
Wyoming Attorney General's Office

## **The Future Of Legal Marijuana: Post-Election Outlook**

Following the 2016 election, marijuana legalization is spreading across states and becoming less important at the federal level. While marijuana is not yet treated like tobacco and alcohol, the federal policy environment seems unlikely to impose significant restrictions on access in the near future, say Richard Spees and Joshua Mandell of Akerman LLP.

## **Implied Preemption And Monograph Drugs: Part 1**

Under 21 U.S.C. §379r, tort claims demanding that over-the-counter drugs carry warnings or other information that is “different from,” “addition[al] to” or “otherwise not identical with” federal labeling requirements are preempted. But the savings clause exempts “product liability” claims from preemption. James Beck of Reed Smith LLP considers preemption of OTC drugs under the FDA’s monograph system.

## **LEGAL INDUSTRY**

### **Fisher & Phillips Partner Charged For His Wife's Death**

A Fisher & Phillips LLP employment partner has been charged with involuntary manslaughter for the shooting death of his wife, which occurred when he was handling a gun in a moving car, and warrants have been issued for his arrest, a police representative said on Wednesday.

### **BigLaw Partners On Short List For NY High Court Vacancy**

Partners from Gibson Dunn & Crutcher LLP, Cravath Swaine & Moore LLP and other firms were among candidates who received a stamp of approval from the New York City Bar Wednesday to fill a vacancy on New York’s highest court created by Associate Judge Eugene F. Pigott’s upcoming retirement.

### **Legal Tech Download: Axiom Expansion And Robot Billing**

The world of legal technology is quickly evolving as new products aimed at aiding lawyers are created and launched in rapid succession. Here, Law360 takes a look at seven of the biggest legal tech-related news developments over the past two weeks.

### **Profit Margin Gap Widens Between Top And Mid-Tier UK Firms**

Profit margins for the largest law firms in the U.K. are on the rise, while those in the mid-tier struggle to turn their revenue into positive gains, a new study by legal recruitment and consulting service Edward Drummond & Co. Ltd. has found.

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Gupta Wessler  
Hobbs Straus  
Holland & Hart  
Jones Day  
Kanji & Katzen  
Kelly Remmel  
Mayer Brown  
Miller & Chevalier  
Morgan Lewis  
Paul Hastings  
Reed Smith  
Segal Roitman  
Shook Hardy  
Sidley Austin  
Squire Patton Boggs  
Steptoe & Johnson PLLC  
Stroock & Stroock  
Troutman Sanders  
Wilson Elser  
Zuckerman Law

#### COMPANIES

Natural Resources Defense Council  
American Bar Association  
Honda Motor Co. Ltd.  
Johnson & Johnson  
T-Mobile USA Inc.  
AT&T Inc.  
American Petroleum Institute Inc.  
American Public Power Association  
Anheuser-Busch Inbev SA/NV  
Apple Inc.  
Arch Coal Inc.  
Audi AG  
BP p.l.c.  
Banco Santander SA  
Bank of America Corporation  
Business Intelligence Associates Inc.  
CSX Corporation  
CTIA  
Calpine Corporation  
Center for Biological Diversity Inc.  
Citigroup Inc.  
Cray Inc  
Dollar Tree Inc.  
Environmental Defense Fund Inc.  
General Motors  
Goldman Sachs Group Inc.  
Goodyear Tire & Rubber Co.  
Immigrant Legal Resource Center

International Brotherhood of Electrical Workers  
International Business Machines Corporation  
Lockheed Martin  
Luminant Generation Co. LLC  
Murray Energy Corp.  
National Association of Manufacturers  
National Grid PLC  
Nintendo Co. Ltd.  
OneWest Bank Group LLC  
PG&E Corporation  
Planned Parenthood Federation  
Sierra Club  
Sinclair Broadcast Group, Inc.  
Sonoco Products Co.  
Space Exploration Technologies Corp.  
The Boeing Company  
United Continental Holdings Inc.  
United Launch Alliance LLC  
United States Telecom Association  
UnitedLex Corp.  
Verizon Communications  
Volkswagen  
Washington Post Co.  
Xcel Energy Inc

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
U.S. Environmental Protection Agency  
Federal Communications Commission  
U.S. Department of Defense  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
European Commission  
Federal Bureau of Investigation  
National Marine Fisheries Service  
U.S. Department of the Interior  
Bureau of Land Management  
Central Intelligence Agency  
Confederated Tribes of the Colville Reservation  
Defense Intelligence Agency  
Executive Office of the President  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Maritime Commission  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Food and Drug Administration  
Government Accountability Office

Houlton Band of Maliseet Indians  
Maine Department of Environmental Protection  
National Aeronautics and Space Administration  
National Economic Council  
National Oceanic and Atmospheric Administration  
National Railroad Passenger Corporation  
National Security Agency  
National Security Council  
Office of the Comptroller of the Currency  
Office of the Director of National Intelligence  
Office of the U.S. Trade Representative  
Peace Corps  
Pension Benefit Guaranty Corp.  
Seminole Tribe of Florida  
Social Security Administration  
U.S. Air Force  
U.S. Army  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Treasury  
Wyoming Attorney General's Office

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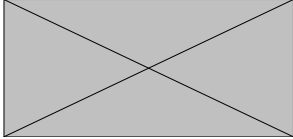
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CLV000124

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 4/25/2019 7:21:55 AM  
**Subject:** Trump's Legal End Game: Run Out The Clock Until 2020

**EXTERNAL EMAIL**



**PUBLIC POLICY.**

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**Thursday, April 25, 2019**

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**TOP NEWS**

**Analysis**

**Trump's Legal End Game: Run Out The Clock Until 2020**

With his latest push against congressional investigations of his finances, his response to the Russia investigation and other actions by the White House, President Donald Trump appears to be trying to run out the clock before the 2020 election rather than waging a substantive legal fight likely to prevail in court.

[Read full article »](#)

**Analysis**

**Differing State, Federal Rules Could Cause GILTI Glitches**

States that have adopted the federal provision for a global minimum tax on intangible income have return filing requirements that are different from the U.S. government's, which could cause multinationals to reach inconsistent calculations in the absence of guidance.

[Read full article »](#)

**TCPA Debt Call Carveout Is Unconstitutional, 4th Circ. Says**

The Fourth Circuit on Wednesday struck down an exemption that allowed government-backed debt collectors to skirt the Telephone Consumer Protection Act's blanket ban on autodialed calls to cellphones, finding the provision violated the First Amendment's free speech clause.

[Read full article »](#)

**Senator Off The Hook In Pa. Gerrymandering Case: 3rd Circ.**

Pennsylvania's top state senator doesn't have to personally pay \$30,000 for "improperly" removing a landmark gerrymandering case to federal court because he was acting in his official capacity at the time, the Third Circuit said Wednesday, reversing a lower court's decision.

[Read full article »](#)

**Calif. Leaders OK Changes Curtailing Landmark Privacy Law**

California lawmakers have advanced eight industry-backed amendments that would scale back the scope of the state's landmark privacy law, including by changing how the law defines personal information.

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Fleming Nolen  
Goldstein & Russell  
Greenberg Traurig  
Greenspoon Marder  
Jackson Lewis  
Jones Day  
Kleinbard LLC  
McDermott Will  
Mehri & Skalet  
Michel & Associates  
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Perkins Coie  
Polsinelli  
Schiff Hardin  
Stevens & Lee  
Wilentz Goldman  
WilmerHale

CLV000125

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## BANKING & SECURITIES

### Regulators Wary Of Moving Too Fast On Fintech Rules

U.S. regulators remain cautious about imposing strict regulatory structures on fintech companies, a pair of federal officials said Wednesday, suggesting that regulatory sandboxes could be a better option in the near-term.

[Read full article »](#)

### Hungry For Reg Relief? SEC, CFTC Staff Say Speak Up

Banks and tech companies that want federal agencies to standardize their reporting requirements should say so in public comment letters, staff at the U.S. Securities and Exchange Commission and Commodity Futures Trading Commission said at a gathering in New York on Tuesday.

[Read full article »](#)

## ENVIRONMENTAL

### EPA Won't Revise Drilling Waste Regulations Despite Review

The U.S. Environmental Protection Agency has refused to update drilling waste disposal rules following a court-ordered review, saying that states can handle any waste-related environmental issues that have arisen during the U.S. oil and gas boom.

[Read full article »](#)

### Calif. Fracker Denied Exemption From Offshore Permit Order

A California federal judge said he was not persuaded that his order blocking the approval of offshore fracking permits would cause inordinate financial harm to an oil and gas company, refusing its request to amend the order and let its two wells move forward.

[Read full article »](#)

## MEDIA & ENTERTAINMENT

### Gizmodo Can't Duck Trump Aide's \$100M Defamation Suit

A Florida federal judge on Wednesday allowed former Donald Trump aide Jason Miller's \$100 million defamation suit against Gizmodo Media Group to proceed, ruling he had plausibly alleged that an article saying he tried to slip an abortion-inducing pill to a woman he'd impregnated was not accurate.

[Read full article »](#)

## COMPETITION

### Speedway's Challenge To NJ Fuel Law Runs Out Of Gas

The New Jersey state appeals court shut down a convenience store operator's challenge to a state law that prohibits below-cost gasoline sales, ruling that the policy benefits consumers and the retail fuel market.

[Read full article »](#)

## CYBERSECURITY & PRIVACY

Wyrick Robbins

## COMPANIES

Amazon.com Inc.

American Bar Association

American Civil Liberties Union

Amgen Inc.

Cable News Network Inc.

Center for Biological Diversity

Center for Constitutional Rights

Comcast Corp.

Conference of State Bank  
Supervisors

Defenders of Wildlife

Deloitte Touche

Electronic Frontier Foundation

Environmental Integrity Project

Fordham University

Gawker Media LLC

Gizmodo Media Group LLC

Google Inc.

Greektown Holdings LLC

Hiscox

Intermountain Healthcare Inc.

International Association of  
Privacy Professionals

International Brotherhood of  
Electrical Workers

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MGM Grand Hotel LLC

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Mazars USA LLP

NFL Enterprises LLC

National Football League Players  
Association

National Rifle Association of  
America

Natural Resources Defense  
Council

Pfizer Inc.

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Robert Half International Inc.

Sierra Club

Southern Poverty Law Center

Speedway LLC

Sprint Nextel Corporation

T-Mobile USA Inc.

The Children's Hospital of  
Philadelphia

Twitter Inc.

Wal-Mart Stores Inc.

Washington Post Co.

## GOVERNMENT AGENCIES

CLV000126

## Sen. Warren, Amazon Escalate Feud Over Retailer's Data Use

Sen. Elizabeth Warren and Amazon have gotten into a Twitter scuffle, with the online merchandiser swiping back at suggestions by the Democratic presidential contender that the company exploits troves of data on third-party sellers to edge them out of the market.

[Read full article »](#)

## GOVERNMENT CONTRACTS

### Whistleblower, Gov't Urge Justices To Deny Challenge To FCA

A whistleblower doctor and the federal government urged the U.S. Supreme Court on Wednesday to reject a petition brought by hospital giant Intermountain Healthcare that challenges the constitutionality of the False Claims Act.

[Read full article »](#)

### NRA Says LA Can't Force Companies To Reveal Ties To Group

The National Rifle Association of America says Los Angeles violated the Constitution by passing a local ordinance this year requiring prospective city contractors to reveal any contracts with or sponsorship of the gun rights group, according to a suit filed Wednesday in California federal court.

[Read full article »](#)

## TAX

### Ill. Gov. Denies Wrongdoing After Reports Of FBI Tax Probe

Illinois Gov. J.B. Pritzker denied wrongdoing on Wednesday amid reports he was under federal investigation over allegations he allowed a Chicago mansion he owns to fall into disrepair to claim property tax breaks.

[Read full article »](#)

## IMMIGRATION

### Analysis

#### New Israeli Investor Visa To Woo Tech Startups

The E-2 investor visa program opens up to Israelis starting next week, and attorneys anticipate the program will attract high demand among Israel's flourishing tech startup sector, which has had few reliable visa options until now.

[Read full article »](#)

### DHS Waives More Enviro Laws To Speed Border Wall Buildup

The U.S. Department of Homeland Security on Wednesday waived a slew of environmental protection and conservation laws that it said could hinder the construction of barriers along the U.S.-Mexico border, repeating a move that previously landed the agency in federal court.

[Read full article »](#)

### House Pushes Court To Block Trump's Border Wall Funding

The Democrat-led U.S. House of Representatives has asked a D.C. federal court to block the Trump administration from using an emergency declaration to spend beyond what Congress appropriated to build a wall on the southern border.

[Read full article »](#)

Bureau of Citizenship and Immigration Services

Bureau of Ocean Energy Management

Bureau of Safety and Environmental Enforcement

California Attorney General's Office

Cherokee Nation

Commodity Futures Trading Commission

Confederated Tribes and Bands of the Yakama Nation

Consumer Financial Protection Bureau

European Union

Federal Communications Commission

Federal Deposit Insurance Corp.

Financial Crimes Enforcement Network

Fish and Wildlife Service

Internal Revenue Service

National Marine Fisheries Service

New Jersey Attorney General's Office

Nottawaseppi Huron Band of the Potawatomi

Port Authority of New York & New Jersey

Saginaw Chippewa Indian Tribe of Michigan

Sault Ste. Marie Tribe of Chippewa Indians

Securities and Exchange Commission

Texas Supreme Court

U.S. Attorney's Office

U.S. Department of Defense

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Supreme Court

United States Agency for Global Media

United States Court of Appeals for the Third Circuit

United States District Court for the Eastern District of Pennsylvania

Vermont Natural Resources Agency



## **DOJ Fields Tough Queries At 9th Circ. On 'Remain In Mexico'**

A Ninth Circuit panel on Wednesday waded through how to interpret a thorny section of federal immigration law that categorizes incoming migrants, at times appearing befuddled by Justice Department arguments defending the Trump administration's "remain in Mexico" policy.

[Read full article »](#)

## **NATIVE AMERICAN**

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### **Tribes Control Member Fireworks Sales In Wash., Judge Says**

A Washington federal judge held Wednesday that a county can't enforce state fireworks laws against the Confederated Tribes and Bands of the Yakama Nation, saying pyrotechnics are a regulatory issue in the Evergreen State, meaning the tribe controls sales on its lands.

[Read full article »](#)

### **MGM Detroit, Tribes Cleared To Intervene In Land Trust Fight**

A pair of Native American tribes and several casinos will be permitted to intervene in a suit over Michigan land that the Sault Ste. Marie Tribe of Chippewa Indians says the government should've taken into trust for the tribe, a Washington, D.C., federal judge has decided.

[Read full article »](#)

### **Would-Be Candidate Pushes To Halt Cherokee Election**

A woman challenging a Cherokee Nation determination that she is ineligible to run for office has continued to push a D.C. federal court to grant an injunction preventing the upcoming election, saying opposition to her request from the tribe and federal government is "baseless."

[Read full article »](#)

## **TELECOMMUNICATIONS**

---

### **Broadband Cos. Ask FCC To Leave Spectrum Leases Alone**

The Federal Communications Commission shouldn't shift the rules surrounding how swaths of the spectrum earmarked for educational use may be leased, several groups who hold such leases have urged the agency.

[Read full article »](#)

## **WHITE COLLAR**

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### **Ex-Christie Aide's Bridgegate Sentence Trimmed By 5 Months**

A New Jersey federal judge on Wednesday cut five months from the original 18-month sentence imposed on a onetime appointee of ex-Gov. Chris Christie for a plot to orchestrate a traffic jam at the George Washington Bridge, five months after the Third Circuit scaled back the convictions of the former aide and a co-defendant.

[Read full article »](#)

### **Ex-Reading Mayor Gets 8 Years In Pay-To-Play Case**

The former mayor of Reading, Pennsylvania, was slapped with an eight-year federal prison sentence on Wednesday following his conviction last year on charges that he accepted campaign contributions from contractors in exchange for promises of work with the city.

[Read full article »](#)

### **Evidence Shows Philly Union Leader Offered Bribes, Feds Say**

Prosecutors pushed back Tuesday against a powerful Philadelphia union leader's argument that a bribery case against him is unwarranted, saying that putting a city council member on the union payroll in exchange for exerting government influence in the union's favor amounts to a bribe.

[Read full article »](#)

## **EXPERT ANALYSIS**

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### **A Step Toward Consistent State Laws For Crypto Cos.**

The Conference of State Bank Supervisors' recently announced suggestions to harmonize state law frameworks for nonbank fintech companies could be particularly beneficial to cryptocurrency companies, for whom the applicable regulatory landscape is especially uncertain, say attorneys at Cleary Gottlieb.

[Read full article »](#)

### **In SEC's Remediation Model, Hard Choices For ICO Issuers**

Recent guidance from the U.S. Securities and Exchange Commission may help issuers avoid having their future initial coin offerings categorized as unregistered securities offerings. But for past ICOs, issuers must rely on the SEC's remediation process, and should consider two key questions before proceeding, says Kayvan Sadeghi of Schiff Hardin.

[Read full article »](#)

### **Justice Department's ACA Reversal Raises FCA Questions**

The U.S. Department of Justice's about-face on Affordable Care Act constitutionality may discourage potential whistleblowers from coming forward unless the DOJ clarifies its plans to enforce the False Claims Act, says Cleveland Lawrence III of Mehri & Skalet.

[Read full article »](#)

## **LEGAL INDUSTRY**

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### **Firms, In-House Attys Predict Hike In Cybersafety Spending**

More than three-quarters of law firms and corporate legal departments plan to increase their spending on cybersecurity during the next year, according to the results of a Robert Half Legal survey announced Wednesday.

[Read full article »](#)

### **Tech Competency Could Become A Must For Mich. Attys**

Michigan appears set to join dozens of other states that require lawyers to stay up to date on technological advances as part of their duty to provide competent legal help.

[Read full article »](#)

### **Major League Soccer Lures NFL Deputy GC As Top Atty**

The NFL's former deputy general counsel will join Major League Soccer as its executive vice president and general counsel, as its longtime top lawyer moves into a commercial-side role, MLS announced Tuesday.

[Read full article »](#)

### **Atty Stuck With Court Escort Can't Appeal To 7th Circ.**

A federal court order requiring a Chicago lawyer to be escorted by U.S. Marshals when in court was “not the result of judicial action” and thus not under the Seventh Circuit’s jurisdiction for appeal, a circuit panel said Tuesday.

[Read full article »](#)

### Law Firm Leaders: Jackson Lewis' Anthony And Lauri

William Anthony and Kevin Lauri took over as co-chairs of national employment boutique Jackson Lewis PC in January. Here, they chat with Law360 on topics that include how their firm is adapting to a changing legal industry and what makes a good law firm partner.

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Greenberg Traurig  
Greenspoon Marder  
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Jones Day  
Kleinbard LLC  
McDermott Will  
Mehri & Skalet  
Michel & Associates  
Morgan Lewis  
Perkins Coie  
Polsinelli  
Schiff Hardin  
Stevens & Lee  
Wilentz Goldman  
WilmerHale  
Wyrick Robbins

## COMPANIES

American Civil Liberties Union  
Cable News Network Inc.  
Center for Biological Diversity

Twitter Inc.  
Amazon.com Inc.  
American Bar Association  
Amgen Inc.  
Center for Constitutional Rights  
Comcast Corp.  
Conference of State Bank Supervisors  
Defenders of Wildlife  
Deloitte Touche  
Electronic Frontier Foundation  
Environmental Integrity Project  
Fordham University  
Gawker Media LLC  
Gizmodo Media Group LLC  
Google Inc.  
Greektown Holdings LLC  
Hiscox  
Intermountain Healthcare Inc.  
International Association of Privacy Professionals  
International Brotherhood of Electrical Workers  
JPMorgan Chase & Co.  
MGM Grand Hotel LLC  
Major League Soccer LLC  
Mazars USA LLP  
NFL Enterprises LLC  
National Football League Players Association  
National Rifle Association of America  
Natural Resources Defense Council  
Pfizer Inc.  
Ripple Labs Inc.  
Robert Half International Inc.  
Sierra Club  
Southern Poverty Law Center  
Speedway LLC  
Sprint Nextel Corporation  
T-Mobile USA Inc.  
The Children's Hospital of Philadelphia  
Wal-Mart Stores Inc.  
Washington Post Co.

#### GOVERNMENT AGENCIES

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U.S. Attorney's Office  
U.S. Supreme Court  
Securities and Exchange Commission  
U.S. Department of Homeland Security  
U.S. Department of the Interior  
Commodity Futures Trading Commission  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
U.S. House of Representatives

United States District Court for the Eastern District of Pennsylvania  
Bureau of Citizenship and Immigration Services  
Bureau of Ocean Energy Management  
Bureau of Safety and Environmental Enforcement  
California Attorney General's Office  
Cherokee Nation  
Confederated Tribes and Bands of the Yakama Nation  
Consumer Financial Protection Bureau  
European Union  
Financial Crimes Enforcement Network  
Fish and Wildlife Service  
Internal Revenue Service  
National Marine Fisheries Service  
New Jersey Attorney General's Office  
Nottawaseppi Huron Band of the Potawatomi  
Port Authority of New York & New Jersey  
Saginaw Chippewa Indian Tribe of Michigan  
Sault Ste. Marie Tribe of Chippewa Indians  
Texas Supreme Court  
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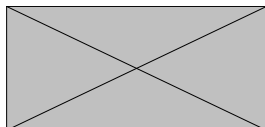
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 6/9/2016 4:23:59 PM  
**Subject:** [Marketing Mail] BREAKING: SEC Hands Whistleblower \$17M For Juicy Tip



PUBLIC POLICY

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Thursday, June 9, 2016

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### **BREAKING: SEC Hands Whistleblower \$17M For Juicy Tip**

The U.S. Securities and Exchange Commission announced on Thursday that it had awarded \$17 million — its second largest award yet — to a former company employee whose detailed tip gave the regulator a major leg-up in an investigation and enforcement proceeding.

GOVERNMENT AGENCIES  
Securities and Exchange  
Commission

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GOVERNMENT AGENCIES  
Securities and Exchange Commission

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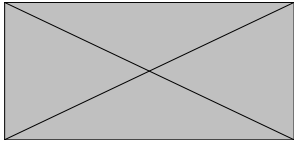
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 10/26/2017 7:52:59 AM  
**Subject:** Trump Admin Need Not Pay ACA Subsidies, Judge Rules



**PUBLIC POLICY.**

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Thursday, October 26, 2017

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## TOP NEWS

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### Trump Admin Need Not Pay ACA Subsidies, Judge Rules

A California federal judge on Wednesday refused to make the Trump administration immediately resume reimbursement of Affordable Care Act subsidies for health insurance copays and deductibles. [Read more »](#)

#### Analysis

### 4 Takeaways From The Demise Of The CFPB Arbitration Rule

A late Tuesday night U.S. Senate vote may have ended the suspense over the fate of the Consumer Financial Protection Bureau's rule that would have made it easier for consumers to file class action lawsuits against banks and other financial firms, but it left open several questions about future regulation of arbitration clauses and payday loans. Here, Law360 looks at four takeaways from the vote to kill the arbitration rule. [Read more »](#)

### Don't Bet On Ginsburg Retiring Soon, High Court Vet Says

President Donald Trump may not get to replace Justice Ruth Bader Ginsburg after all, Carter Phillips of Sidley Austin LLP suggested Wednesday, noting that, at age 84, the Supreme Court's oldest member has an "iron will and a desire at least to make it to the next election." [Read more »](#)

### Judge Nixes Order Releasing Pair Of Benghazi Emails

A D.C. federal judge Tuesday reversed a decision compelling the State Department to release two emails concerning the 2012 attack on the U.S. consulate in Benghazi, Libya, after the government said it had accidentally neglected to invoke a Freedom of Information Act exemption for classified documents. [Read more »](#)

### DHS Found Lacking In Verifying H-1B Visas, Watchdog Says

The U.S. Department of Homeland Security's Office of Inspector General said in a report released Friday that the agency needs to do a better job of verifying H-1B program participants, noting that site visits are insufficiently thorough and comprehensive. [Read more »](#)

### Dems Say GOP Ducking Bigger Fish As Both Back Tariff Relief

Both parties of a House subcommittee on Wednesday urged Congress to revive the Miscellaneous Tariff Bill, a once-uncontroversial way to suspend tariffs on goods not made domestically for three-year periods, though Democrats said the hearing was another effort to duck bigger issues like NAFTA and tax reform. [Read more »](#)

### FDA Defends Cigar Regs, Points To Consumer Misperceptions

The U.S. Food and Drug Administration shot back Wednesday in D.C. federal court at smokers rights groups' challenge to a recent rule expanding regulations on cigars and pipe tobacco, saying expanded warning requirements and user fees are needed to call attention to underappreciated health risks. [Read more »](#)

## ENERGY & ENVIRONMENTAL

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Browning Kaleczyc  
Buckley & Associates  
Buckley Sandler  
Carlton Fields  
DLA Piper  
Epstein Becker Green  
Ferraiuoli LLC  
Fox Rothschild  
Goodwin  
Greenbaum Rowe  
Greenberg Traurig  
Gupta Wessler  
Hinshaw & Culbertson  
Hogan Lovells  
Hunton & Williams  
Hyman Phelps  
King & Spalding  
Kirkland & Ellis  
Klee Tuchen  
Kobre & Kim  
Konicek & Dillon  
McDermott Will  
McElroy Deutsch  
Milbank Tweed  
Morgan Lewis  
Norton Rose Fulbright  
O'Melveny & Myers  
O'Neill & Borges  
Parker Poe

CLV000134

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## Energy, Enviro Agencies Pose Ways To Cut Industry Slack

Changes to Clean Air Act standards, the acceleration of natural gas exports, and reviews of land use designations are among the initiatives federal agencies proposed Wednesday to comply with President Donald Trump's order to ease burdens on domestic energy production. [Read more »](#)

## EPA Chemical, Air Nominees Survive Split Committee Vote

The Republican-controlled U.S. Senate Committee on Environment and Public Works on Wednesday advanced President Donald Trump's picks to lead the U.S. Environmental Protection Agency's chemical safety and air offices strictly along party lines, with committee Democrats vowing to fight the nominations on the Senate floor. [Read more »](#)

## Dem AGs, Enviros Want Fuel Efficiency Penalty Delay Nixed

Five Democratic state attorneys general and a trio of environmental groups on Tuesday urged the Second Circuit to immediately vacate a recent delay of an Obama-era rule raising penalties on automakers that don't meet fuel efficiency standards, or at least put it on hold while its legality is challenged. [Read more »](#)

## Enviros Sue DOI For Emails From Oil, Hunting Groups

An environmental group has alleged the Interior Department unlawfully held back communications it has had with oil and natural gas lobbying groups, suing the agency Monday to have it release emails and other documents related to its communications with the energy and hunting industries. [Read more »](#)

## HEALTH & LIFE SCIENCES

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## NJ Hospital Loses Medicaid Reimbursement Rate Appeal

The New Jersey Appellate Division on Wednesday shut down a hospital's long-running bid to recalculate its Medicaid reimbursement rate for the year 1995, ruling that the state properly applied a regulatory update imposing additional limitations on amounts medical providers could recoup for services. [Read more »](#)

## Menendez Aide Pressed On Exception To Gifts Disclosure

A staffer to Sen. Bob Menendez said Wednesday at the bribery trial of the senator and a Florida ophthalmologist that he believed gifts from the doctor did not need to be reported on the senator's annual financial disclosure forms under a "friendship exception" that a prosecutor claimed does not exist. [Read more »](#)

## IP & TECHNOLOGY

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## Trump Launches Program For State, Local Gov't Drone Testing

The White House launched a pilot program on Wednesday to expand the use of commercial drones by establishing new test sites across the country that federal, state, local and even tribal governments would jointly oversee. [Read more »](#)

## MEDIA & ENTERTAINMENT

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## FCC To Hold Nov. Vote On Relaxing Media Ownership Rules

FCC Chairman Ajit Pai revealed Wednesday that the agency plans to vote on changes to its media ownership rules at its next meeting, outlining a forthcoming order that could permit two of the top four stations in a market to merge when the stations would otherwise be in violation of the current rules. [Read more »](#)

## Advocacy Groups Urge Justices To Keep Sports Betting Ban

Several religious and public policy advocacy groups warned the U.S. Supreme Court

Paul Hastings  
Proskauer Rose  
Quinn Emanuel  
Reed Smith  
Seyfarth Shaw  
Sidley Austin  
Skadden  
Stris & Maher  
Tyson & Mendes  
Weil Gotshal  
Williams & Connolly  
Willkie Farr  
WilmerHale

## COMPANIES

AdvaMed  
Advantage Solutions Inc.  
Alliance of Automobile Manufacturers  
American Civil Liberties Union  
American Farm Bureau Federation  
American Petroleum Institute Inc.  
American Psychiatric Association  
AvePoint Inc.  
Best Buy Co.  
BlackRock  
Cato Institute  
Center for Biological Diversity Inc.  
Center for Strategic and International Studies  
Deloitte Touche  
Digital Realty Trust Inc.  
Electronic Frontier Foundation  
Equifax Inc.  
Experian  
Federalist Society  
Federation for American Immigration Reform  
Feihe International Inc.  
Global Automakers  
Home Depot, Inc.  
Immigration Reform Law Institute  
Kaspersky Lab Ltd.  
MGM Resorts International  
Microsoft Corporation  
Mohegan Sun  
NBCUniversal Inc.  
National Association of Consumer Advocates  
National Collegiate Athletic Association  
National Consumer Law Center



on Monday of the dangers state-sponsored sports betting would pose to the nation, urging the high court to reject New Jersey's constitutional challenge to a related federal ban. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### San Juan Mayor Wants Contentious Grid Repair Deal Nixed

The mayor of San Juan, Puerto Rico, urged the island's administration on Wednesday to void a contentious \$300 million sole-source contract awarded to a small Montana firm to help restore the island's battered electricity grid, a deal that has also attracted significant scrutiny from federal lawmakers. [Read more »](#)

## EMPLOYMENT

### DOL's Restaurant Tip Pool Rollback Advances Amid Debate

The U.S. Department of Labor sent the Office of Management and Budget its proposal to rescind a 2011 rule barring businesses from including nontipped workers in tip pools Tuesday, moving the controversial regulation one step closer to its expected end. [Read more »](#)

### Ill. House Can't Override Veto On Right-To-Work Zone Law

Missing the mark by one vote, the Democratically controlled Illinois House on Wednesday failed to override Gov. Bruce Rauner's veto on a bill that would ban right-to-work zones in Illinois, a pet priority of the Republican's administration. [Read more »](#)

### Forced Halloween Party Attendance Was Bias, Worker Says

A disabled, black, Christian ex-employee of BSN Sports LLC filed a discrimination lawsuit against the uniform and equipment retailer in Texas federal court Wednesday, alleging she was fired after enduring months of comments criticizing her religion, race and disability, culminating with forced attendance at a Halloween event that violated her beliefs. [Read more »](#)

## PRIVACY & CYBERSECURITY

### Senate Intel Panel Approves Renewal Of Surveillance Powers

The Senate Intelligence Committee advanced a bill Tuesday that would extend foreign intelligence surveillance powers through the end of 2025, while making tweaks intended to improve privacy protections and increase punishments for people who publicly leak classified information. [Read more »](#)

### NY, Mass. Officials Say Breach Law Shouldn't Override States

Officials from the New York and Massachusetts attorney general's offices on Wednesday urged U.S. House lawmakers considering national data breach reporting and security standards in the wake of the massive Equifax hack to set a "floor and not a ceiling" that would allow states to continue to come up with their own innovative consumer protections. [Read more »](#)

### Kaspersky Lab Says It Got NSA Code Off Personal Computer

Embattled Moscow-based cybersecurity software maker Kaspersky Lab admitted Wednesday that it had uploaded a secret NSA hacking tool from a personal computer in the U.S., as it dug in and defended itself from critics and government inquiries questioning its links to the Russian government. [Read more »](#)

### House Panel Moves Temporary Ag Worker Bill Forward

The House Judiciary Committee on Wednesday narrowly approved a bill that would replace the current temporary agricultural worker immigrant visa program with one its backers insist gives farmers more hiring flexibility and deters illegal immigration, but its critics say cuts crucial worker protections and wages. [Read more »](#)

National Employment Law Project  
National Restaurant Association  
Natural Resources Defense Council  
New York Times Co.  
New York University  
Office Depot Inc.  
Sierra Club  
Sinclair Broadcast Group, Inc.  
Staples Inc.  
TransUnion LLC  
Tribune Media Co.  
Twitter Inc.  
U.S. Chamber of Commerce  
Yahoo! Inc.

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Land Management  
Central Intelligence Agency  
Commodity Futures Trading Commission  
Congressional Budget Office  
Consumer Financial Protection Bureau  
Department of Commerce  
Equal Employment Opportunity Commission  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Election Commission  
Federal Emergency Management Agency  
Federal Housing Finance Agency  
Federal Reserve System  
Fish and Wildlife Service  
Food and Drug Administration  
Government Accountability Office  
International Trade Commission  
Mashantucket Pequot Tribal Nation  
NAFTA  
National Economic Council  
National Highway Traffic Safety Administration  
National Security Agency  
National Security Council  
New York Attorney General's

## INTERNATIONAL TRADE

### Analysis

#### What To Watch For As US Reboots India Trade Engagement

U.S. officials are slated to huddle with their Indian counterparts and talk trade on Thursday, offering the Trump administration its first chance to put its stamp on a crucial bilateral relationship and tackle a slew of market access issues afflicting U.S. businesses in a litany of sectors. [Read more »](#)

#### Senators Want Steel Trade Probe To Accelerate

The U.S. Department of Commerce should speed up its probe into whether to impose new national security-based steel tariffs to counter efforts by other countries to dump the commodity into the U.S., Massachusetts' two Democratic senators urged the agency on Wednesday. [Read more »](#)

## TAX

#### Rep. Brady Hints At Lower 401(k) Limits, Contradicting Trump

House Ways and Means Committee Chairman Kevin Brady, R-Texas, said Wednesday that a tax overhaul plan from the White House and congressional Republican leadership could include changes to the 401(k) retirement program, contradicting President Donald Trump's assertions that tax-free contribution thresholds would stay intact. [Read more »](#)

#### House Democrat's Tax Reform Principles Favor Middle Class

Rep. Richard Neal, D-Mass., the ranking member of the House Ways and Means Committee, said Wednesday that congressional Democrats would be looking for certain principles in tax reform legislation — which Republicans are poised to unveil soon — that center around support for middle-class families. [Read more »](#)

## BANKRUPTCY

#### Puerto Rico Gets Court's OK For Use Of FEMA Relief Funds

The judge presiding over Puerto Rico's bankruptcy-like cases on Wednesday approved the commonwealth's stipulations for using federal disaster relief funds to help the island rebuild after Hurricane Maria, providing assurances that the money is to be used solely for cleanup efforts. [Read more »](#)

## IMMIGRATION

#### Immigrant Abortion Dispute Closed, But ACLU Vows Vigilance

The American Civil Liberties Union on Wednesday said "justice prevailed" for an immigrant teen in federal custody who was able to obtain an abortion, but also vowed to keep fighting for the rights of similarly situated immigrant women. [Read more »](#)

#### DACA Applicants 'Living In Fear' Of Info Misuse, Dems Say

A group of Democratic lawmakers Wednesday called on the U.S. Department of Homeland Security to protect the personal details of applicants to the Deferred Action for Childhood Arrivals program, saying that thousands who trusted the federal government with "a copious amount of information about themselves and their families are now living in fear" that it will be used against them. [Read more »](#)

#### Tech Union Appeals F-1 Visa Rule Challenge Loss To DC Circ.

A technology union that sued the U.S. Department of Homeland Security, arguing its members are disadvantaged in their job market by the extension of a program that lets students visiting on F-1 visas work during their studies, appealed the dismissal of its case to the D.C. Circuit on Tuesday. [Read more »](#)

### Office

New York State Department of Health

Nuclear Regulatory Commission

Office of the Comptroller of the Currency

Privacy & Civil Liberties Oversight Board

Securities and Exchange Commission

U.S. Customs and Border Protection

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. General Services Administration

U.S. House Committee on Energy and Commerce

U.S. Immigration and Customs Enforcement

U.S. Senate

U.S. Supreme Court

## NATIVE AMERICAN

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### **Tribes Say DOI Already Gave Them OK For 3rd Conn. Casino**

A company co-owned by the Mohegan and Mashantucket Pequot tribes on Wednesday assailed former U.S. Department of the Interior Secretary Ken Salazar's recent warning that the tribes' proposed third Connecticut casino might jeopardize their revenue sharing with the state, saying the tribes already have federal approval for needed changes to their tribal-state gaming compacts. [Read more »](#)

### **Ontario Gov't Criticized Over Pollution In Indigenous Areas**

The environmental watchdog of Ontario, Canada, said in an extensive report released on Tuesday that the province's government should be doing more to address serious pollution issues facing various indigenous people and communities. [Read more »](#)

## TELECOMMUNICATIONS

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### **Pai Dodges Direct Commentary On Trump's NBC Tirade**

FCC Chairman Ajit Pai on Wednesday refused to denounce outright President Donald Trump's recent comments hinting at revoking the broadcast license for NBC, but he further emphasized the agency is bound by the First Amendment principle of free speech. [Read more »](#)

## WHITE COLLAR

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### **Deputy AG Echoes Yates Memo On Corporate Wrongdoing**

U.S. Deputy Attorney General Rod Rosenstein seemed to endorse the Yates memo Wednesday, a controversial Obama-era policy on corporate misconduct, stressing the need to prosecute individual misconduct rather than let corporate wrongdoers off the hook by extracting large settlements from their employers and shareholders. [Read more »](#)

### **House Votes To Restrict Policymaking Through Settlements**

The House of Representatives voted Wednesday to restrict the use of settlements to change agency policy, with backers of the bill saying the courts have allowed civil suits to get around the rulemaking process in environmental, labor and other litigation. [Read more »](#)

### **SEC Backs Whistleblower On Protections In High Court Row**

The U.S. Securities and Exchange Commission has weighed in on a case challenging the limits of the Dodd-Frank Act's whistleblower anti-retaliation provision, telling the U.S. Supreme Court in a friend-of-the-court brief that the provision should be read to protect whistleblowers regardless of whether they bring their concerns to the agency. [Read more »](#)

### **Giuliani Says Prosecutors Too Zealous In Corporate Cases**

Former New York City Mayor Rudy Giuliani thinks prosecutors nowadays are too quick to bring criminal cases against people in the business world, and suggested Wednesday that the lack of such cases in the aftermath of the 2008 financial crisis was because "maybe no one committed a crime." [Read more »](#)

### **Ex-Rep. Says Mailer Not Campaign Ad In Donation Theft Case**

Former U.S. Rep. Stephen Stockman, who is facing more than two dozen criminal charges related to his alleged funneling of charitable donations to his campaigns, asked a federal judge in Texas on Tuesday to dismiss one of the charges of making an excessive contribution, arguing the government didn't offer enough evidence to get an indictment on that count. [Read more »](#)

## EXPERT ANALYSIS

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## House Bill Would Raise Stakes Of Congressional Inquiries

On Monday, the House passed a bill that, if enacted, would shift the current landscape regarding judicial review of congressional subpoenas and place significant burdens on all recipients of such subpoenas, say attorneys with Akin Gump Strauss Hauer & Feld LLP. [Read more »](#)

## CFPB Walks Data Privacy Tightrope On Mortgage Disclosures

With recent guidance, the Consumer Financial Protection Bureau appears to be focused on not only furthering the underlying purpose of the Home Mortgage Disclosure Act, but doing so while ensuring that consumer privacy is protected, say Erin Illman and Nathan Viebrock of Bradley Arant Boult Cummings LLP. [Read more »](#)

## How Choice Act Would Change Agency Rule-Making Authority

The Financial Choice Act proposes changes to the Congressional Review Act's process for disapproving regulations issued by certain financial agencies. By replacing a passive disapproval process with an active approval process, a significant amount of power to impose regulations will be retained by Congress, say Gregory Hesse and Abigail Storm of Hunton & Williams LLP. [Read more »](#)

## Trending In Telehealth: Behavioral Health Services

An increasing number of behavioral health care professionals are becoming more and more interested in using telehealth platforms to connect with their patients, and there is much new and updated guidance from states regarding the practice of providing such services in this space, says Amy Lerman of Epstein Becker & Green PC. [Read more »](#)

## Tension Between Legal Marijuana Use And Employer Rights

Earlier this year Florida Gov. Rick Scott signed a bill that provides certain patients the right to use marijuana for medical purposes. However, the law specifically states that employers are not required to accommodate medical marijuana use in any respect, which is a conflict that causes confusion and consternation for legal marijuana users and their employers, say Jonathan Crotty and Sarah Douglas of Parker Poe Adams & Bernstein LLP. [Read more »](#)

### Series

## Making Pro Bono Work: Building Sponsorship Relationships

Within their first year, associates should make it a priority to take on a pro bono matter and approach a partner about supervising the project. By collaborating with a partner on a pro bono case, young associates can cultivate sponsorship relationships while simultaneously contributing to the public good, say Michael Scudder and Jay Mitchell of Skadden Arps Slate Meagher & Flom LLP. [Read more »](#)

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## LEGAL INDUSTRY

### Analysis

## How Law Firms Are Failing To Keep Clients' Data Safe

News broke Tuesday night that client data was stolen from offshore law firm Appleby in a cyberattack, and as the firm deals with the consequences of the breach, cybersecurity experts say Appleby is not alone — most law firms have a major data security problem. [Read more »](#)

## Litigation Volume Lets Up For US Companies, Report Says

There was an overall decline in litigation between 2016 and 2017, with the average number of suits filed against large organizations falling from 30 to 25, as more companies start to use preventive measures and early case resolution, a report released Wednesday found. [Read more »](#)

### Analysis

## 3 Ways To Avoid Ethical Pitfalls In High-Low Settlements

High-low settlements, in which a defendant agrees to pay a minimum figure in exchange for protection from a runaway verdict, are widely accepted by courts and arbitrators but also carry some special ethical considerations for lawyers. Here are three things attorneys should know to meet their professional duties when it comes to high-low settlements. [Read more »](#)

### DC Circ. Judge Cautions Against Statutory Interpretation

When deciding cases, judges too often make “dangerous” determinations that a law is ambiguous, which allows them to move into areas of subjective statutory interpretation, D.C. Circuit Judge Brett Kavanaugh said during a keynote speech Wednesday at the Heritage Foundation in Washington, D.C. [Read more »](#)

#### Series

### What I Learned In My 1st Year: Be A Sponge

As a new attorney, it was astonishing to realize how little I knew. I soon began to appreciate that everyone I met had a unique take or way of doing something. Many things I learned during that first year from my colleagues are still incorporated into my practice today, says Patrick Mendes of Tyson & Mendes LLP. [Read more »](#)

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#### LAW FIRMS

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Quinn Emanuel  
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Seyfarth Shaw  
Sidley Austin  
Stris & Maher  
Tyson & Mendes  
Weil Gotshal  
Williams & Connolly  
Willkie Farr  
WilmerHale

#### COMPANIES

U.S. Chamber of Commerce  
American Petroleum Institute Inc.  
Equifax Inc.  
National Consumer Law Center  
Sinclair Broadcast Group, Inc.  
Tribune Media Co.  
AdvaMed  
Advantage Solutions Inc.  
Alliance of Automobile Manufacturers  
American Civil Liberties Union  
American Farm Bureau Federation  
American Psychiatric Association  
AvePoint Inc.  
Best Buy Co.  
BlackRock  
Cato Institute  
Center for Biological Diversity Inc.  
Center for Strategic and International Studies  
Deloitte Touche  
Digital Realty Trust Inc.  
Electronic Frontier Foundation  
Experian  
Federalist Society  
Federation for American Immigration Reform  
Feihe International Inc.  
Global Automakers  
Home Depot, Inc.  
Immigration Reform Law Institute  
Kaspersky Lab Ltd.  
MGM Resorts International  
Microsoft Corporation  
Mohegan Sun  
NBCUniversal Inc.

National Association of Consumer Advocates  
National Collegiate Athletic Association  
National Employment Law Project  
National Restaurant Association  
Natural Resources Defense Council  
New York Times Co.  
New York University  
Office Depot Inc.  
Sierra Club  
Staples Inc.  
TransUnion LLC  
Twitter Inc.  
Yahoo! Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Consumer Financial Protection Bureau  
U.S. Department of Homeland Security  
U.S. Department of the Interior  
U.S. Senate  
Executive Office of the President  
U.S. Department of Transportation  
Bureau of Citizenship and Immigration Services  
Equal Employment Opportunity Commission  
Federal Bureau of Investigation  
Federal Communications Commission  
Fish and Wildlife Service  
U.S. Department of Energy  
U.S. Environmental Protection Agency  
U.S. House Committee on Energy and Commerce  
Bureau of Indian Affairs  
Bureau of Land Management  
Central Intelligence Agency  
Commodity Futures Trading Commission  
Congressional Budget Office  
Department of Commerce  
Federal Aviation Administration  
Federal Deposit Insurance Corp.  
Federal Election Commission  
Federal Emergency Management Agency  
Federal Housing Finance Agency  
Federal Reserve System  
Food and Drug Administration  
Government Accountability Office  
International Trade Commission  
Mashantucket Pequot Tribal Nation  
NAFTA  
National Economic Council  
National Highway Traffic Safety Administration  
National Security Agency



National Security Council  
New York Attorney General's Office  
New York State Department of Health  
Nuclear Regulatory Commission  
Office of the Comptroller of the Currency  
Privacy & Civil Liberties Oversight Board  
Securities and Exchange Commission  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of the Treasury  
U.S. General Services Administration  
U.S. Immigration and Customs Enforcement

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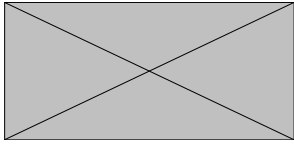
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 7/31/2017 7:30:56 AM  
**Subject:** 4 Questions Environmental Attorneys Have About The CAA



**PUBLIC POLICY.**

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**Monday, July 31, 2017**

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## TOP NEWS

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### Analysis

#### 4 Questions Environmental Attorneys Have About The CAA

Implementing the Clean Air Act has always been complicated, but President Donald Trump's stated commitment to backing away from Obama-era priorities has added new uncertainty for groups on all sides, leaving practitioners scratching their heads about greenhouse gases, air quality permits and how far the Trump administration will go. This is the first in a seven-part series on important open questions in environmental law. [Read more »](#)

#### Trump Picks DHS Head Kelly To Be His New Chief Of Staff

President Donald Trump announced Friday that he had appointed Homeland Security Secretary John Kelly as White House chief of staff, replacing Reince Priebus, who had taken withering fire from the president's new communications director in recent days. [Read more »](#)

### Analysis

#### Don't Expect Looser Russia Sanctions Anytime Soon

As President Donald Trump continues to feel the heat over his campaign's possible connections to Russia, lawmakers have taken sanctions policy into their own hands with a new bill that will create headaches for the White House if it ever decides to take a softer line on Moscow. [Read more »](#)

#### Attys Predict Next Steps After ACA Repeal Failure

The inability of Senate Republicans to approve Affordable Care Act repeal legislation has left observers searching for signs of whether bipartisan compromise is finally possible or if anti-ACA efforts will instead endure. Here's what attorneys predict is coming next. [Read more »](#)

#### VA Choice, Intel Operations Funding Pass House On 2nd Try

The House of Representatives on Friday passed a pair of bills to replenish funding for the Veterans Choice program and U.S. intelligence activities, after both failed to clear under expedited voting procedures earlier in the week. [Read more »](#)

### Analysis

#### Marketplace Tweak May Halt DOD Commercial Buying Slide

A recent U.S. Government Accountability Office report indicates that the volume of commercial items purchased by the U.S. Department of Defense has gradually declined over time, but experts say a proposed move to allow the use of online commercial marketplaces like Amazon.com could reverse that trend. [Read more »](#)

## BANKING & SECURITIES

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#### OCC Says State Regulators' Fintech Suit 'Fatally Premature'

The Office of the Comptroller of the Currency said Friday that a challenge by state

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### LAW FIRMS

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Barnes & Thornburg  
Barris Sott  
Benesch Friedlander  
Blank Rome  
Brownstein Hyatt  
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Cravath Swaine  
Crowell & Moring  
Davis Graham  
Debevoise & Plimpton  
Earthjustice  
Epstein Becker Green  
Eversheds Sutherland  
Fried Frank  
Gibbons PC  
Gibson Dunn  
Guess & Rudd  
Haight Brown  
Hanson Bridgett  
Hinshaw & Culbertson  
Hogan Lovells  
Holland & Hart  
Holland & Knight  
Horwood Marcus  
Hunton & Williams  
Ice Miller  
Javerbaum Wurgaft  
K&L Gates  
Katten Muchin  
King & Spalding  
Kirkland & Ellis  
Latham & Watkins  
Loevy & Loevy

CLV000144

bank regulators to the OCC's proposed special charter for financial technology firms was "fatally premature" and should be rejected because to date no charters have been issued. [Read more »](#)

### **Trump Admin. To End Obama's Retirement Accounts Program**

The Trump administration on Friday said it planned to end an Obama-era initiative aimed at increasing retirement savings for people without access to private accounts, citing the costs of the program and its limited sign-up rate. [Read more »](#)

### **Uzbekistan Says Ex-Prez's Daughter Convicted 2 Years Ago**

Prosecutors in Uzbekistan for the first time in years shined a light on what became of Gulnara Karimova, the country's former first daughter who was accused of taking bribes and hiding her corrupt assets around the globe, saying Friday she was convicted of embezzlement and sentenced back in 2015. [Read more »](#)

### **MSRB Says Underwriters Need Independent Attys**

The Municipal Securities Rulemaking Board issued a notice Thursday criticizing municipal securities issuers that select counsel for their underwriters, saying the practice could result in conflicts of interest and even lead to a loss of confidence in the muni market. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

### **Ethics Group Requests Probe Into Pruitt Travel To Okla.**

A nonprofit ethics watchdog on Thursday asked the U.S. Office of Special Counsel to investigate whether U.S. Environmental Protection Agency Administrator Scott Pruitt has improperly used taxpayer money to fund trips to Oklahoma, possibly for a future political campaign. [Read more »](#)

### **DC Circ. Rules Against EPA In Renewable Fuel Mandates Fight**

The D.C. Circuit on Friday vacated part of a U.S. Environmental Protection Agency rule that set the levels of renewable fuel that must be blended into gasoline below targets called for by Congress, finding the EPA wrongly considered consumer-side constraints in making its decision. [Read more »](#)

### **Industry Wants DC Circ. To Rehear Methane Rules Case**

Industry intervenors on Thursday asked the D.C. Circuit to rehear a panel decision that lifted a stay imposed by the U.S. Environmental Protection Agency on a portion of its methane regulations for new oil and gas infrastructure, arguing that the panel improperly reviewed an agency action that wasn't final. [Read more »](#)

### **NC Solar Expansion Bill Mothballs Wind Projects Until 2019**

North Carolina Gov. Roy Cooper on Thursday signed legislation designed to boost solar power development in the state, but the bill comes with a cost: an 18-month moratorium on wind projects. [Read more »](#)

### **Oil Group Fights Enviros' Challenge To Offshore Drilling Order**

The American Petroleum Institute asked an Alaska federal court Friday to toss a complaint filed by environmental organizations challenging President Donald Trump's executive order seeking to review which areas of the Arctic and Atlantic oceans should be open for drilling, saying it was brought in the wrong venue. [Read more »](#)

### **6th Circ. Revives Two Flint Water Class Actions**

The Sixth Circuit on Friday revived two proposed class actions stemming from the water contamination crisis in Flint, Michigan, saying the suits' claims are not preempted by the federal Safe Drinking Water Act. [Read more »](#)

### **Enviro, Tribal Groups Seek Win In Methane Rule Delay Row**

A coalition of environmental and tribal groups urged a California federal court on Thursday to hold that Interior Secretary Ryan Zinke exceeded his authority by

Manatt Phelps  
McCarter & English  
McElroy Deutsch  
Morgan Lewis  
Morrison & Foerster  
Murphy PA  
Nelson Hardiman  
Nixon Peabody  
Nossaman LLP  
Ogletree Deakins  
Olshan Frome Wolosky  
Orrick Herrington  
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Perkins Coie  
Pitt McGehee  
Proskauer Rose  
Quinn Emanuel  
Ropes & Gray  
Seyfarth Shaw  
Sheppard Mullin  
Sheridan Ross  
Sidley Austin  
Simpson Thacher  
Skadden  
Spilman Thomas  
Squire Patton Boggs  
Stinson Leonard  
Theodora Oringer  
Venable LLP  
Verrill Dana  
Vorys Sater  
Weber Gallagher  
Weil Gotshal  
Western Environmental Law  
Center  
WilmerHale  
Yetter Coleman

## **COMPANIES**

ASUSTeK Computer Inc.  
Amazon.com Inc.  
American Petroleum Institute Inc.  
American Wind Energy  
Association  
Apple Inc.  
Bank Lombard Odier & Co. Ltd.  
BuzzFeed Inc.  
CTIA  
Center for Biological Diversity Inc.  
Cigna Corporation  
Cisco Systems Inc.  
Conference of State Bank

delaying an Obama-era rule aimed at limiting the release of methane from drilling operations on federal and Native American lands. [Read more »](#)

## HEALTH & LIFE SCIENCES

### FDA Wants Nonaddictive Amounts Of Nicotine In Cigarettes

The U.S. Food and Drug Administration said Friday that it's looking to lower the amount of nicotine in tobacco products and also delay requirements tied to the agency's new enforcement power over e-cigarettes and cigars. [Read more »](#)

## MEDIA & ENTERTAINMENT

### Justices Needn't Size Up PASPA In Sports Bet Row, Prof Says

The U.S. Supreme Court could limit its review of New Jersey's challenge to the Professional and Amateur Sports Protection Act to an impermissibly broad order blocking the state from legalizing any sports betting, and leave the statute's constitutionality for a better case, a professor recently argued. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### Analysis

### Constitutional Questions Prolong Air Traffic Control Debate

Fierce opposition to a controversial proposal to spin off the nation's air traffic control operations into a separate nonprofit may have been buoyed by a recent Congressional Research Service report analyzing the proposal's constitutionality, ensuring lawmakers won't meaningfully debate the legislation anytime soon as floor time on Capitol Hill remains scarce. [Read more »](#)

### House Committee Approves Self-Driving Vehicle Bill

A U.S. House committee on Thursday unanimously passed a bill that would federally regulate self-driving vehicles, a proposal that defines the roles of federal and state governments, updates motor vehicle safety standards and establishes a National Highway Traffic Safety Administration council to handle issues related to autonomous vehicles. [Read more »](#)

## COMPETITION

### House, Senate Leaders Ask For Competition Focus In NAFTA

The heads of the House and Senate judiciary committees spoke out Friday in support of including a competition chapter in upcoming North American Free Trade Agreement negotiations, saying the move would "establish a high standard" for future proceedings. [Read more »](#)

## PRIVACY & CYBERSECURITY

### BuzzFeed Sues Feds For Info On Russian Mogul's Death

BuzzFeed Inc. has filed two Freedom of Information Act suits in D.C. federal court to compel U.S. government officials to release records ranging from whistleblower complaints filed by Financial Crimes Enforcement Network staff to case files from an investigation into the 2015 death of a prominent Russian businessman at a Washington hotel. [Read more »](#)

## AEROSPACE & DEFENSE

### Senate Committee OKs 4 Armed Services Nominees

### Supervisors

Cornerstone Research Inc.  
D-Link Corporation  
Environmental Defense Fund Inc.  
Facebook  
Google Inc.  
Hospira Inc.  
International Association of Privacy Professionals  
Interstate Natural Gas Association of America  
Los Angeles Times  
Major League Baseball Inc.  
Microsoft Corporation  
NFL Enterprises LLC  
National Association of Broadcasters  
National Basketball Association  
National Collegiate Athletic Association  
National Corn Growers Association  
National Hockey League  
National Retail Federation Inc.  
National Wildlife Federation  
Natural Resources Defense Council  
New York Times Co.  
Northeastern University  
Oil States International Inc.  
Sierra Club  
Staples Inc.  
Teavana Corp.  
Textron Inc.  
The Bank of New York Mellon Corporation  
Twitter Inc.  
Uber Technologies Inc.  
Vizio Inc.  
Washington Post Co.  
Wells Fargo & Co.  
Wilderness Workshop  
Wisconsin Alumni Research Foundation  
ZTE Corp.

### GOVERNMENT AGENCIES

Bureau of Land Management  
Central Intelligence Agency  
Congressional Research Service  
Consumer Financial Protection Bureau  
Defense Health Agency  
Department of Commerce

CLV000146

A U.S. Senate committee on Thursday approved President Donald Trump's nominations for four armed services posts via voice vote, sending the nominations to the Senate floor. [Read more »](#)

## TAX

### Anti-Inversion Regs' Documentation Rules Delayed By A Year

Documentation requirements under controversial Internal Revenue Service rules to curb corporate inversions are being delayed by 12 months in response to taxpayer concerns and in light of an ongoing review of the rules, according to an announcement from the U.S. Department of Treasury on Friday. [Read more »](#)

### III. County Soda Tax Moves Forward After Suit Dismissed

After a month of uncertainty, Cook County, home to Chicago, will see its tax on sugar-sweetened beverages move forward after a judge on Friday dismissed a business group's constitutional challenge to the levy. [Read more »](#)

## IMMIGRATION

### House Bill Would Ditch Wall For Border Tech

A group of mostly Republican House lawmakers on Thursday floated legislation that would substitute the U.S. southern border wall demanded by President Donald Trump with a "comprehensive border security strategy" relying on a combination of physical barriers, monitoring technology and U.S. Customs and Border Protection personnel. [Read more »](#)

## NATIVE AMERICAN

### Reps Again Float Bill To Curb Suicide In Indian Country

A pair of Western congressmen announced the reintroduction of a bipartisan bill Friday that seeks to curb "alarming" suicide rates among Native Americans. [Read more »](#)

## TELECOMMUNICATIONS

### Ethics Org. Sues FCC Over Unreleased Net Neutrality Docs

A nonprofit ethics group has sued the Federal Communications Commission for allegedly withholding records that could detail agency conversations with internet service providers as it contemplates a repeal of Title II regulation for broadband, the legal underpinning for the FCC's 2015 net neutrality rules. [Read more »](#)

### Public TV Stations Tell FCC To Reject Microsoft 'White Spaces'

A nonprofit that lobbies on behalf of public TV member stations has asked the Federal Communications Commission to reject Microsoft's request for free TV-band spectrum to power broadband service through the software giant's "white spaces" project, claiming that the proposal would devastate public television stations across the country. [Read more »](#)

## WHITE COLLAR

### Jury Finds Calif. Ex-Mayor Guilty On 2 Corruption Counts

A Los Angeles jury convicted a former mayor of Compton on Friday on two felony counts connected to misappropriating public funds for recreational activities, clothing, hotels and other expenses, prosecutors said. [Read more »](#)

## PEOPLE

European Union  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Reserve System  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
International Trade Commission  
Michigan Department of Environmental Quality  
Michigan Department of Health & Human Services  
Municipal Securities Rulemaking Board  
NAFTA  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Telecommunications and Information Administration  
New York State Department of Financial Services  
Office of the Comptroller of the Currency  
Office of the Director of National Intelligence  
Securities and Exchange Commission  
U.S. Customs and Border Protection  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Office Of Special Counsel

## Health Hires: EBG, Buchalter, Reproductive Rights Center

Epstein Becker Green has added a government contracts attorney who used to work with the U.S. Department of Defense, Buchalter PC has nabbed three new shareholders from Nixon Peabody LLP and Theodora Oringer PC, and The Center for Reproductive Rights has named a new member to its executive team. [Read more »](#)

## EXPERT ANALYSIS

### Smart Cities And 5G Should Cooperate Instead Of Clashing

"Smart City" initiatives and fifth generation wireless connectivity are on a collision course, as both cities and cellular companies are lobbying state legislation for public rights-of-way and usage of city-owned facilities. Instead of competing, they should share use of towers and poles and institute joint planning efforts, say Gregory Dunn and Lindsay Miller of Ice Miller LLP. [Read more »](#)

### How The IRS Is Changing Pre-Approved Retirement Plans

By liberalizing the types of retirement plans it will consider as pre-approved, the Internal Revenue Service is encouraging adopters of individually designed plans to consider pre-approved plans in the future, say attorneys at Benesch Friedlander Coplan & Aronoff LLP. [Read more »](#)

### Regulatory Rules Of The Road For IoT Manufacturers

The regulators active in the internet-of-things space are signaling a continuing aggressiveness toward ensuring that IoT devices fall within the privacy and security regimes applicable to more traditional technologies, say attorneys with Crowell & Moring LLP. [Read more »](#)

### Comparing Real Estate Restrictions In 2 Great Cities

Boston is famously restrictive with respect to real estate development, but it is a free market paradise compared to San Francisco, where Proposition M strictly caps the annual construction of new office buildings. Proposition M has had many undesirable and unintended consequences, and it may be time to remove these limitations, say attorneys with Nixon Peabody LLP. [Read more »](#)

### Seeding Period Extensions After New Volcker Guidance

With a new letter from the Federal Reserve Board, banking entities now have a standardized procedure to request extension of the permissible period for providing seed funding under the Volcker Rule. While the letter might suggest increased willingness on the part of the Fed to grant such requests, caution is warranted, say V. Gerard Comizio and Nathan Brownback of Fried Frank Harris Shriver & Jacobson LLP. [Read more »](#)

## Opinion

### Fossil Fuel Industry's 'Tobacco Moment' Has Arrived

Climate change lawsuits have been filed before, but the recent lawsuits filed against several of the largest oil, gas and coal producers by two California counties and one city are different than earlier efforts for three important reasons, says Douglas Kysar, a professor of law at Yale University. [Read more »](#)

## LEGAL INDUSTRY

### Judge Doubts King & Spalding Account Of Associate's Firing

U.S. District Judge Valerie E. Caproni expressed doubt Friday over the assertion by King & Spalding LLP that it fired a senior associate because he failed to turn in time sheets and business plans on time, in his suit claiming he was shown the door for reporting an ethics breach. [Read more »](#)

### Partisan Divide Between Judges Grows, Research Says



An analysis of federal trial court decisions over the past century shows that the ideological gap between judges has widened, driven by the increasing conservatism of Republican-appointed judges, three law professors concluded in a recent academic paper. [Read more »](#)

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

Shareholder activists are putting chief executives in their crosshairs more than ever, the CFPB's rule banning arbitration clauses is one step closer to repeal and the Labor Department is angling to revise Obama-era rules governing overtime pay. These are some of the top stories in corporate legal news you may have missed this past week. [Read more »](#)

### **Kirkland Ellis Wins At 10th Circ. In Marijuana Raid Appeal**

A Kansas couple is getting a second crack at holding police officers to account for a premeditated but mistaken marijuana raid on their home, thanks to the pro bono efforts of Kirkland & Ellis LLP. [Read more »](#)

### **Law360's Pro Say Podcast: Why Are All The Partners Men?**

On the latest episode of Law360's Pro Say podcast, the team discusses the bleak outlook for women in the law, a huge product liability verdict against drug-maker Abbvie, and the bizarre story of the U.S. Postal Service being sued over a fake Statue of Liberty. [Read more »](#)

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

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Ice Miller  
Javerbaum Wurgaft  
K&L Gates  
Katten Muchin  
King & Spalding  
Latham & Watkins  
Loevy & Loevy  
Manatt Phelps  
McElroy Deutsch  
Morgan Lewis  
Morrison & Foerster  
Murphy PA  
Nelson Hardiman  
Nossaman LLP  
Ogletree Deakins  
Olshan Frome Wolosky  
Orrick Herrington  
Peckar & Abramson  
Perkins Coie  
Pitt McGehee  
Quinn Emanuel  
Ropes & Gray  
Seyfarth Shaw  
Sheppard Mullin  
Sheridan Ross  
Simpson Thacher  
Spilman Thomas  
Squire Patton Boggs  
Stinson Leonard  
Theodora Oringher  
Verrill Dana  
Vorys Sater  
Weber Gallagher  
Weil Gotshal  
Western Environmental Law Center  
Yetter Coleman

#### COMPANIES

American Petroleum Institute Inc.  
Google Inc.  
Natural Resources Defense Council  
New York Times Co.

Cisco Systems Inc.  
Environmental Defense Fund Inc.  
Los Angeles Times  
Microsoft Corporation  
Sierra Club  
ASUSTeK Computer Inc.  
Amazon.com Inc.  
American Wind Energy Association  
Apple Inc.  
Bank Lombard Odier & Co. Ltd.  
BuzzFeed Inc.  
CTIA  
Center for Biological Diversity Inc.  
Cigna Corporation  
Conference of State Bank Supervisors  
Cornerstone Research Inc.  
D-Link Corporation  
Facebook  
Hospira Inc.  
International Association of Privacy Professionals  
Interstate Natural Gas Association of America  
Major League Baseball Inc.  
NFL Enterprises LLC  
National Association of Broadcasters  
National Basketball Association  
National Collegiate Athletic Association  
National Corn Growers Association  
National Hockey League  
National Retail Federation Inc.  
National Wildlife Federation  
Northeastern University  
Oil States International Inc.  
Staples Inc.  
Teavana Corp.  
Textron Inc.  
The Bank of New York Mellon Corporation  
Twitter Inc.  
Uber Technologies Inc.  
Vizio Inc.  
Washington Post Co.  
Wells Fargo & Co.  
Wilderness Workshop  
Wisconsin Alumni Research Foundation  
ZTE Corp.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Environmental Protection Agency  
Securities and Exchange Commission  
U.S. House of Representatives  
U.S. Supreme Court



Federal Communications Commission  
Federal Trade Commission  
Internal Revenue Service  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Transportation  
U.S. Senate  
Bureau of Land Management  
Central Intelligence Agency  
Congressional Research Service  
Consumer Financial Protection Bureau  
Defense Health Agency  
Department of Commerce  
European Union  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Reserve System  
Financial Crimes Enforcement Network  
Food and Drug Administration  
Government Accountability Office  
International Trade Commission  
Michigan Department of Environmental Quality  
Michigan Department of Health & Human Services  
Municipal Securities Rulemaking Board  
NAFTA  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Telecommunications and Information Administration  
New York State Department of Financial Services  
Office of the Comptroller of the Currency  
Office of the Director of National Intelligence  
U.S. Customs and Border Protection  
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U.S. Department of Health and Human Services  
U.S. Department of Labor  
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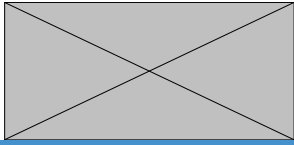
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 9/13/2017 7:57:40 AM  
**Subject:** FTC Chief Won't Rush To Police Digital Economy



**PUBLIC POLICY.**

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**Wednesday, September 13, 2017**

## TOP NEWS

### FTC Chief Won't Rush To Police Digital Economy

Federal Trade Commission acting Chairman Maureen Ohlhausen pushed back Tuesday on calls for a more aggressive approach to antitrust enforcement of the digital economy, arguing that market share alone should not guide decisions better based on consumer harms. [Read more »](#)

### Senators Inch Toward ACA Deal As New Repeal Bid Looms

Republican and Democratic senators on Tuesday sought common ground on an Affordable Care Act stabilization deal, but their efforts were clouded by stubborn areas of disagreement and the emergence of a last-ditch GOP repeal effort. [Read more »](#)

### White House Pushes To Make Surveillance Law Permanent

U.S. Attorney General Jeff Sessions and Director of National Intelligence Dan Coats have urged Congress to permanently reauthorize a statute allowing for the surveillance of foreign targets outside the United States, saying it provides for the collection of information that is critical to the intelligence community, the U.S. Department of Justice said on Monday. [Read more »](#)

### Senate OKs Key Trump Economic Adviser

The Senate voted Tuesday to approve a key adviser to President Donald Trump on taxes, regulations and other economic policies, confirming American Enterprise Institute economist Kevin Hassett as chair of the Council of Economic Advisers. [Read more »](#)

#### Analysis

### Nixing Pass-Through Rate For Service Cos. Can't Stop Abuse

Treasury Secretary Steven Mnuchin's proposed solution of excluding service companies from qualifying for a lower tax rate for so-called pass-through businesses may not be enough to eliminate the potential for abuse that accompanies the Trump administration's corporate tax plan. [Read more »](#)

### Grassley's Bipartisan Human Trafficking Bill Passes Senate

The Senate on Tuesday passed bipartisan legislation to overhaul the federal government's response to human trafficking with a focus on prevention efforts, legal resources for survivors, cooperation between government and advocates and related law enforcement training. [Read more »](#)

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#### LAW FIRMS

Arnold & Porter Kaye Scholer  
Baker McKenzie  
BakerHostetler  
Blank Rome  
Bordas & Bordas  
Bryan Cave  
Cleary Gottlieb  
Covington & Burling  
Cullen & Dykman  
Davis Polk  
Debevoise & Plimpton  
Earthjustice  
Fisher Phillips  
Greenbaum Rowe  
Hogan Lovells  
Jeffer Mangels  
Jenner & Block  
Jones Day  
King & Spalding  
Kobre & Kim  
Lawyers' Committee for Civil Rights  
McDermott Will  
Morrison & Foerster  
Norton Rose Fulbright  
Ogletree Deakins  
Oxford Cohen PC  
Patterson Harkavy  
Paul Weiss  
Reed Smith

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## Pro Bono Spotlight

### Cleary Helps Overhaul Discriminatory NC Voting System

Jones County, North Carolina, hasn't had an African-American commissioner since a 1994 general election, but thanks to pro bono work by Cleary Gottlieb Steen & Hamilton LLP and the Lawyers' Committee for Civil Rights Under Law, an upcoming 2018 election might stop that trend in its tracks. [Read more »](#)

### Davis Polk Atty Headed To State Dept. Discloses \$4.2M Income

A Davis Polk & Wardwell LLP partner President Donald Trump nominated earlier this month to serve as legal adviser at the State Department took home a nearly \$1.5 million partnership share and \$2.7 million salary from the firm since January 2016, according to a financial disclosure report obtained by Law360 on Tuesday. [Read more »](#)

## BANKING & SECURITIES

### Mnuchin Says Hedge Funds Will Lose Lower Tax Rates

U.S. Treasury Secretary Steve Mnuchin said Tuesday that hedge funds are facing a tax increase as part of President Donald Trump's reform agenda, but he avoided specifics on what counts as a job-creating entity that might still get to use a lower rate. [Read more »](#)

## Analysis

### China's ICO Crackdown Clouds Efforts At Global Consistency

Going against the more measured approaches taken by several other countries, China's ban on initial coin offerings is a stance that complicates the global regulatory landscape for these digital "token" sales, experts say. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### 10th Circ. Freezes Utah Haze Fight After EPA Revisits Regs

The Tenth Circuit on Monday paused a federal plan to reduce haze in Utah that would require major upgrades to two coal-fired power plants, saying it wouldn't waste its time considering the plan now that it's under review by the U.S. Environmental Protection Agency. [Read more »](#)

### DOE, Enviro Group Denied Quick Wins By Judge In FOIA Suit

A D.C. federal judge on Monday shot down competing bids for quick wins in an environmental group's lawsuit seeking to force the U.S. Department of Energy to release records concerning a Mississippi power plant, finding that material factual issues still remain. [Read more »](#)

## HEALTH & LIFE SCIENCES

### DOJ Backs Biosimilar Makers In Info-Sharing Fight

The U.S. Department of Justice on Monday sided with biosimilar makers in the aftermath of a major U.S. Supreme Court ruling involving Amgen and Sandoz, telling the Federal Circuit that state laws can't be used to extract information from biosimilar companies. [Read more »](#)

### Gov't Witness Spars With Prosecutor At Menendez Trial

A government witness said Tuesday that she did not know why she was testifying at the corruption trial of Sen. Bob Menendez, D-N.J., and a Florida ophthalmologist, saying the two men were friends and sparring with a prosecutor over her claim that the doctor referred to the senator as a "brother." [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

Sidley Austin  
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## COMPANIES

Alliance of Automobile  
Manufacturers  
American Civil Liberties Union  
American Enterprise Institute  
American Federation of Labor and  
Congress of Industrial  
Organizations  
Amgen Inc.  
AstraZeneca  
BP p.l.c.  
Brattle Group  
Center for American Progress  
Center for Strategic and  
International Studies  
Center on Budget and Policy  
Priorities  
Comcast Corporation  
Communications Workers of  
America  
Competitive Enterprise Institute  
DraftKings Inc.  
Electronic Frontier Foundation  
Equifax Inc.  
Evonik Industries AG  
Experian  
Facebook  
FanDuel Inc.  
Fortress Investment Group LLC  
Fosun International Ltd.  
Goldman Sachs Group Inc.  
Google Inc.  
HSBC Holdings PLC  
International Business Machines  
Corporation  
J.M. Huber Corp.  
Kaiser Permanente  
Lawyers' Committee for Civil  
Rights Under Law  
National Association of Attorneys  
General  
New York Times Co.  
Oath Inc.  
Oil States International Inc.  
PacifiCorp  
Podesta Group Inc.  
Rocky Mountain Power  
Sierra Club

## DOT Unveils Voluntary Guidance For Self-Driving Cars Rollout

The U.S. Department of Transportation on Tuesday unveiled a new federal policy that eases the process for manufacturing, testing and deploying self-driving or autonomous cars in the U.S., establishing guidelines prioritizing safety and discouraging states from drafting potentially conflicting self-driving car rules of their own. [Read more »](#)

## EMPLOYMENT

### Analysis

#### 5 Labor And Employment Bills To Watch

Federal legislators have proposed several bills in recent months that could reshape the labor and employment law landscape, and with a businessman in the White House and the GOP in control of Congress, meaningful workplace laws getting passed and signed is a real possibility for the first time in years. Here, Law360 looks at the legislation employers should have on their radar. [Read more »](#)

#### Job Banding Veto Overstepped Bounds, NJ Justices Told

The New Jersey Civil Service Commission told the state's highest court Tuesday that lawmakers overstepped their bounds in vetoing the agency's decision to eliminate the competitive job advancement examination required for certain public job titles, arguing their move usurped the power of the executive branch. [Read more »](#)

## COMPETITION

#### DOJ's Finch Pushes Stability, Continuity In Antitrust Regime

The acting antitrust chief of the U.S. Department of Justice on Tuesday defended the importance of "stability and continuity" in federal enforcement amid worries about political interference under the Trump administration and calls from Democrats for a more muscular approach. [Read more »](#)

## PRIVACY & CYBERSECURITY

#### Equifax Faces Bipartisan Wrath Over Data Breach

Lawmakers of both parties on Tuesday continued to hammer away at Equifax Inc. over the security breach that exposed the personal information of as many as 143 million consumers, blasting the company for putting consumers at risk and for its response to the hack. [Read more »](#)

## GOVERNMENT CONTRACTS

#### Ex-Rep. Hastert Asks 7th Circ. To Toss Whistleblower Appeal

Former U.S. House Speaker Dennis Hastert asked the Seventh Circuit on Monday to dismiss a whistleblower's appeal of a ruling tossing a qui tam suit over Hastert's alleged misuse of government funds, arguing that his bid for attorneys' fees and sanctions against the whistleblower must be decided before the suit can be appealed. [Read more »](#)

## INTERNATIONAL TRADE

#### GOP Sen. Rips Trump Talk, Says Trade Deals Drive US Jobs

A moderate Republican senator on Tuesday rejected President Donald Trump's rhetoric that the country's trade deals, including the North American Free Trade Agreement, have been overwhelmingly bad for American businesses and should be ripped up, stressing that the nation's exports are up in treaty partners. [Read more »](#)

The Southern Company Inc.  
TransUnion LLC  
Transocean Ltd.  
Unilever Plc  
Yum! Brands Inc.  
eBay Inc.

## GOVERNMENT AGENCIES

Congressional Budget Office  
Department of Commerce  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Emergency Management Agency  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Financial Conduct Authority  
Internal Revenue Service  
NAFTA  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Security Council  
Office of the Director of National Intelligence  
Securities and Exchange Commission  
Transportation Security Administration  
U.S. Attorney's Office  
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U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Office of Government Ethics  
U.S. Patent and Trademark Office  
U.S. Supreme Court

## **Steel Customers Warn Against 'Disastrous' New Duties**

A collection of U.S. companies relying on foreign components has urged the Trump administration to hold off on imposing new national security-based steel tariffs, warning that new restrictions would be “disastrous” for the U.S. manufacturing base. [Read more »](#)

## **More China Sanctions Possible Over Ties With North Korea**

China is the main facilitator of trade and access to hard currency for North Korea, and if it does not rein in its rogue banks and shipping firms, the U.S. may enact more sanctions, U.S. Department of State and the Treasury officials told lawmakers Tuesday. [Read more »](#)

## **TAX**

## **IRS Mishandled 1 In 7 FOIA Requests In 2016, Audit Shows**

Disclosure specialists at the Internal Revenue Service improperly withheld information for one in seven Freedom of Information Act requests in fiscal year 2016, an audit by the Treasury Inspector General for Tax Administration found. [Read more »](#)

## **IMMIGRATION**

## **Justices Again Stay 9th Circ. Ruling Narrowing Travel Ban**

The U.S. Supreme Court on Tuesday extended a stay it issued the day before, blocking part of an injunction that would have admitted certain refugees into the country despite President Donald Trump's travel ban as the case gears up for its high court hearing next month. [Read more »](#)

## **House Passes Tweaks To DHS Information Sharing Rules**

The House of Representatives passed a package of bills Tuesday that would pull out kinks in how the Department of Homeland Security handles information internally and shares it outside of the agency. [Read more »](#)

## **DOJ Asks 5th Circ. To Allow Part Of Sanctuary City Ban**

The U.S. Department of Justice on Tuesday asked the Fifth Circuit to stay the block on the detainer provision in Texas' anti-sanctuary city law, known as S.B. 4, claiming the Constitution permits local officials to hold immigrants in response to federal requests. [Read more »](#)

## **LA Can't Join SF In Sanctuary City Fight**

A California federal court on Monday denied Los Angeles' effort to intervene in San Francisco's lawsuit against Department of Justice conditions on law enforcement grants that require so-called sanctuary cities to help enforce immigration laws, leading the city to say it will file its own complaint. [Read more »](#)

## **TELECOMMUNICATIONS**

## **After Storms, Senators Move Stalled Telecom Disaster Bill**

Amid the aftermath of hurricanes that devastated swaths of Florida and Texas, senators Chuck Schumer, D-N.Y., and Maria Cantwell, D-Wash., advanced a bill introduced in January requiring cell carriers to carry competitors' signals during emergencies, among other telecom disaster provisions. [Read more »](#)

## **PEOPLE**

## **Ex-DOJ Enviro Atty Joins Jenner & Block's DC Office**

Jenner & Block announced Tuesday the firm is welcoming back Sam Hirsch after his

stint at the U.S. Department of Justice's Environment and Natural Resources Division, where he was deeply involved in the Deepwater Horizon litigation and settlement. [Read more »](#)

### **Covington Adds State Dept. Veteran To Gov't Affairs Team**

Covington & Burling LLP has brought on former George W. Bush-era Assistant Secretary of State Stephen G. Rademaker to its public policy and government affairs practice. [Read more »](#)

## **EXPERT ANALYSIS**

### **How Congress Making IPR Retroactive Affects Oil States**

As the U.S. Supreme Court weighs whether inter partes review violates the Constitution in *Oil States v. Greene's*, Congress' 2011 decision to make inter partes review retroactive — unlike its decision regarding inter partes re-examination — could ultimately doom inter partes review, says Jason Hoffman of BakerHostetler. [Read more »](#)

### **How The Utility Of The Future Will Evolve: Part 2**

The growth and widespread use of distributed energy resources may ultimately contribute to the evolution of the electric grid into a more sophisticated “platform.” In this scenario, utilities will facilitate numerous transactions concerning energy and associated services among DERs, consumers and the utilities themselves, say Bill Zarakis and Frank Graves of The Brattle Group. [Read more »](#)

### **Inside China's New Policies On Overseas Investments**

Several policies and rules were introduced in 2016 and 2017 to tighten China's control and supervision of overseas investment activities, including new guidelines promulgated last month. These policies impose a much stricter regulatory regime, raise hurdles for cross-border currency outflows, and place particular emphasis on certain areas, say Lester Ross and Kenneth Zhou of WilmerHale. [Read more »](#)

## **LEGAL INDUSTRY**

### **Analysis**

#### **The ‘Very Ugly’ Pro Se Case That Put Posner Over The Edge**

When the Seventh Circuit in January refused to revive the lawsuit of a prisoner who was seriously injured after officials allegedly failed to accommodate his medical condition, then-Judge Richard Posner wasn't happy, writing in a blunt dissent that “a dog would have deserved better treatment.” [Read more »](#)

### **Global 20: Baker McKenzie**

Whether guiding U.K.-based Unilever's acquisition of popular Latin American toiletry brands or steering other complex cross-border transactions, Baker McKenzie has once again emerged as a legal leader on all six continents it serves, landing the firm a spot on this year's Global 20 list. [Read more »](#)

### **Series**

#### **My Supreme Court Debut: A Lot Of Questions, A Little Luck**

On the day of my first argument at the U.S. Supreme Court, after I survived the security screening process, I found myself in the lower-level hall where the statue of Chief Justice John Marshall is located. On the advice of a colleague, I rubbed Marshall's shoe for good luck, says John Bursch, former solicitor general of Michigan. [Read more »](#)

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Jones Day  
Morrison & Foerster  
Skadden  
Arnold & Porter Kaye Scholer  
Baker McKenzie  
BakerHostetler  
Blank Rome  
Bordas & Bordas  
Bryan Cave  
Cleary Gottlieb  
Cullen & Dykman  
Davis Polk  
Debevoise & Plimpton  
Earthjustice  
Fisher Phillips  
Greenbaum Rowe  
Hogan Lovells  
Jeffer Mangels  
King & Spalding  
Kobre & Kim  
Lawyers' Committee for Civil Rights  
McDermott Will  
Norton Rose Fulbright  
Ogletree Deakins  
Oxfeld Cohen PC  
Patterson Harkavy  
Paul Weiss  
Reed Smith  
Sidley Austin  
Vedder Price  
Weissman & Mintz  
WilmerHale

## COMPANIES

American Civil Liberties Union  
Alliance of Automobile Manufacturers  
American Enterprise Institute  
American Federation of Labor and Congress of Industrial Organizations  
Amgen Inc.  
AstraZeneca  
BP p.l.c.  
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Competitive Enterprise Institute  
DraftKings Inc.  
Electronic Frontier Foundation  
Equifax Inc.  
Evonik Industries AG  
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Google Inc.  
HSBC Holdings PLC  
International Business Machines Corporation  
J.M. Huber Corp.  
Kaiser Permanente  
Lawyers' Committee for Civil Rights Under Law  
National Association of Attorneys General  
New York Times Co.  
Oath Inc.  
Oil States International Inc.  
PacifiCorp  
Podesta Group Inc.  
Rocky Mountain Power  
Sierra Club  
The Southern Company Inc.  
TransUnion LLC  
Transocean Ltd.  
Unilever Plc  
Yum! Brands Inc.  
eBay Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Federal Bureau of Investigation  
Federal Trade Commission  
Executive Office of the President  
Federal Communications Commission  
U.S. Department of Homeland Security  
Congressional Budget Office  
Department of Commerce  
European Union  
Federal Emergency Management Agency  
Federal Energy Regulatory Commission  
Financial Conduct Authority  
Internal Revenue Service  
NAFTA  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Security Council

Office of the Director of National Intelligence  
Securities and Exchange Commission  
Transportation Security Administration  
U.S. Attorney's Office  
U.S. Coast Guard  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of State  
U.S. Department of Transportation  
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CLV000161

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** act@preactdontreact.com  
**Sent:** Fri 4/8/2016 10:15:05 PM  
**Subject:** PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

The Honorable Mayor Carolyn Goodman:

I am contacting you concerning the information on terrorism below. Due to 2 incidents in Las Vegas and my familiarity with terrorism, I sent the email below to a Las Vegas commander, and have since contacted other commanders, corporate, and a Las Vegas politician with my concerns. Unfortunately, the response was as inadequate as the response the FBI agents, civilians, and well known individuals experienced when warning top DC officials about 9/11. This is why I and others are so reluctant to contact authorities concerning the issue, and specifically why I hesitated to contact the Las Vegas commander with my original warning (due to what I witnessed in Las Vegas). If it were not for the fact so many EU, Australian, Chinese, and Indian friends/kids that I know visit Las Vegas I would just ignore the situation and let it happen and then say I told you so to the media. (I am also covering myself by having proof that I did warn every authority responsible for public safety in Las Vegas, the US, and abroad.) I assure the situation is far worse than you know, and I would not underestimate it or the ruthlessness of the enemy. They have already picked out their targets and made their decision to carry out their missions no matter what. They will have to be physically stopped by an aggressive and competent campaign led by competent and aggressive law enforcement/intelligence officers.

Due to the seriousness of the situation, my ties to the EU, Australia, and other countries, I have warned Ministers that I have had previous contact with and others this week concerning issuing a travel warning to their citizens. I have not mentioned the city of concern, however as of next week I may have to. I do not want to get involved in the situation at all, I like 3 other top terrorist experts are fed up with the incompetence and politicizing of terrorism that has led to the disastrous attacks from 9/11, Paris, San Bernardino, and now Brussels. (The experts are former Clinton & Bush terrorism expert Richard Clark, former CIA agent/CNN consultant Bob Baer, and former Bin Laden desk Chief Michael Scheuer.) We have all reached this point due our being completely correct in our forecasts and strategies for addressing terrorist threats, and the individuals and entities that were listened to being dead wrong each and every time. An audit of my record on forecasting terrorist trends and events to be irrefutably accurate, and an audit of the "experts" to be irrefutably inaccurate.

The individuals that are sought after to address terrorism in the US by the government and media are not actually experts—are you aware of that? If you are counting on US or local counter terrorism officials to save Las Vegas—I would stock up on body bags, you're going to need them.

Those responsible for anti-terrorism measures in Las Vegas and the US as a whole have no idea what they are up against, nor do they have a clue as to how to negate the threat—hence why ISIS/Al Qaeda continue to beat them to the punch.

**EXAMPLES:**

—The only people that did not know that Ms. Prouty a terrorist mole were the Directors of the FBI and CIA (literally) that fought over her and gave her the highest awards the agencies has [https://www.justice.gov/archive/opa/pr/2007/November/07\\_nsd\\_910.html](https://www.justice.gov/archive/opa/pr/2007/November/07_nsd_910.html)  
<http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>. There are a lot more Nada Prouty's in the US committing the same act. Ms. Prouty proves a Middle Easterner cannot be vetted, there are many just like her in the US that have US passports, driver's licenses, and they are in no way who the government thinks they are right down to the names on those documents.

—This terrorist pioneer lived 2 miles down the road from me [http://articles.chicagotribune.com/1985-06-19/news/8502090070\\_1\\_lebanon-david-berry-nabih-berri](http://articles.chicagotribune.com/1985-06-19/news/8502090070_1_lebanon-david-berry-nabih-berri)

I grew up here and know or have met all of the people connected to this issue and I assure you the situation is far worse

CLV000162

than is suspected by authorities. I have met and talked to many of the individuals responsible for stopping these terrorists, and trust me—the terrorists are far ahead of the opposition.

[http://www.mlive.com/news/detroit/index.ssf/2014/08/report\\_more\\_residents\\_in\\_dearb.html](http://www.mlive.com/news/detroit/index.ssf/2014/08/report_more_residents_in_dearb.html)

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=plane+terrorism+dearborn+>

### **LAS VEGAS CONNECTION**

<http://www.wxyz.com/news/local-news/investigations/happys-pizza-headquarters-raided-by-irs-criminal-division-dea> ( Las Vegas has a franchise and a lot more connections to Detroit/Dearborn than you likely are aware of. It is a case of this <https://www.youtube.com/watch?v=JcZHSGyos6g>)

I have talked with the founders of this business several times and this case was strictly about terrorist funding as in this case [http://www.mlive.com/lansing-news/index.ssf/2011/12/report\\_several\\_southeast\\_michi.html](http://www.mlive.com/lansing-news/index.ssf/2011/12/report_several_southeast_michi.html).

In closing, my original warning should have been ran to ground, the fact that it wasn't is proof of just how off and far behind Las Vegas is in addressing Paris and Brussels style attacks (this week every Minister from every foreign country I contacted responded with a phone call or/and email seeking further information because they now *"get it"*). To be direct, authorities in Las Vegas and the US have their heads in the sands regarding the issue of terrorism and must change their strategy and tactics while they still have a chance to do so. With Las Vegas having the worst inherent terrorist vulnerabilities of any major city, Las Vegas should be much more precise and aggressive in avoiding such an attack (which is possible). An attack in the manner that I have forecast would dwarf the Paris body count by a minimum of X5, however it will be worse. The intelligence, physical security, and counter measures of Las Vegas are an invitation for an attack, and the terrorist know all of the cities vulnerabilities as well as I do.

No casino pit boss, dealer, etc. could have the record of the anti-terrorism leadership and still be employed in Las Vegas, it is the equivalent to them *"losing"* track of a million dollars every day for a year and the casino owners and Gaming Control Board accepting any explanation he came up with as legitimate. This would never happen. The see something say something just does not work as Brussels, Paris, and San Bernardino prove with the number of people that knew and didn't talk for various reasons. The #1 reason is that people simply have no confidence in authorities taking proper action. Examine my experience with the issue, each time I am putting my life and business life in danger by even contacting authorities in Las Vegas, and not once has anyone so much as responded or asked me how and why I reached the conclusions I have reached. This is a mirror of the warning by James Woods cited below regarding 9/11—it all could have and should have been ended right then and there. The mindset of law enforcement/political leadership on the municipal level must change, at the end of the day the battle and ramifications are like all politics—local.

As you know the odds always catch up, and luck runs out. Vegas' luck is about to run out in the worst of ways. If you would like the scenario I war gamed, I will forward it upon your request.

Thank you and good luck—

Sincerely,  
Jerome Almon



### **EMAIL TO LV COMMANDER**

----- Original Message -----

CLV000163

Subject: INFORMATION ON SAFETY ISSUES–LAS VEGAS

From: <[info@thecountermedia.com](mailto:info@thecountermedia.com)>

Date: Sat, May 17, 2014 1:02 pm

To: [ted@tedmoody.com](mailto:ted@tedmoody.com)

Sheriff Moody:

Thank you for your response and time regarding the issues below:

### 1)THE TERRORISM ISSUE:

As you are certainly aware of, Al Qaeda has Las Vegas as one of its top 5 main targets, specifically the Strip. I am certain that the area has been scouted and targets selected based on my experience in the area and my observations of individuals and groups while in Las Vegas. They will hit what is most familiar with them, and Las Vegas is very familiar to them. (For example the mastermind behind 911 graduated from the University of North Carolina <http://edition.cnn.com/2002/US/South/12/19/al.qaeda.aggie/> .

### ACTIONS THAT WILL BE TAKEN BY TERRORIST:

A) <http://newyork.cbslocal.com/2014/03/19/al-qaeda-magazine-calls-for-car-bombings-in-u-s-new-york>

B) <http://www.cnn.com/2013/09/18/world/asia/mumbai-terror-attacks/>

### RECOMMENDED COUNTER MEASURES:

A) Special response teams will not get to the site in time, and must be in place PRIOR to any incident in the immediate area.

B) *CONTAIN AND KILL*—officers must be prepared to neutralize the terrorist at the point of attack, i.e. the attacker cannot be allowed out of the building, off the block, or off the side of the street where they attacked (Las Vegas Blvd is a perfect kill zone for a terrorist due to its geography, such as the inability to cross the Strip in certain areas combined with the natural traffic volume.) Point blank, these are the same individuals and groups that Delta Force, Navy SEALs, Army Rangers, Airforce Commandos, and Marine RECON/special forces faced on the battlefields of Iraq and Afghanistan—they are not to be underestimated. (Essentially they are Islamic special forces.) They are going to attack sooner than later.

C) Las Vegas should have its own anti-terrorism unit on the level of the NYPD's anti-terrorism unit, NYC learned its lesson the hard way 911—YOU CANNOT DEPEND ON THE FEDERAL GOVERNMENT TO PROTECT YOUR CITY. As you will see in the information from the Canadian CIA (CSIS) and the response to that information from both that unit and myself, the federal authorities are grossly out of touch with reality regarding terrorism.

– <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>

– <http://www.nydailynews.com/news/world/fbi-appalled-cia-veterans-defense-agent-nada-nadim-prouty-lies-article-1.258534>

– <http://pamelageller.com/2007/12/hezbo-mole-crack.html/>

I assure you this is not close to the worst.

I am well versed in this area as you will see due to my studies/duties as a university guest lecturer, and personal experiences however most of my experience is first hand. I left college and joined the US Army, several individuals that I attended college with left college and joined our enemy and did fight against the US in numerous war zones around the world. These individuals are supported by groups in America, and know the country as well as you and I do.

### TSA NOT TO BE DEPENDENT ON

[http://www.huffingtonpost.com/2013/12/23/airport-security\\_n\\_4494308.html](http://www.huffingtonpost.com/2013/12/23/airport-security_n_4494308.html)

CLV000164

(Morale within the agency is as low as its competence–my letter warning of issue.)

**30 MARCH 2009**

Secretary Janet Napolitano  
Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

Secretary Napolitano–

I am writing you concerning a pervasive and unacceptable sanctioned policy within the Department of Homeland Security of the sexual harassment of female traveler's entering the United States. I have been informed by numerous female travelers coming to visit me in the United States from Norway, Germany, and especially Canada that they are routinely harassed by male DHS inspectors. I find the allegations completely credible due to the carbon copy stories from the females, and the profile of the females– all attractive teen or near teen girls traveling alone. The harassment is so overt that it is impossible that supervisors are not aware of it, do not witness it, and in fact sanction it.

I have a substantial amount of both academic and field study experience in this area, and have personally witnessed the practice by DHS employees myself. This should be addressed in the open without hesitation. It is insulting to the female travelers, and also opens up US females to the retaliatory actions by the security personnel of other countries–which I assure has happened. Certainly with all the alleged dangers facing Americans and the gaping holes in border security at the various ports of entry, DHS does not have the luxury of expending valuable energy and tax payers' money on sexually harassing female travelers.

I thank you for your time and consideration and will await your reply.

Sincerely,

Jerome Almon

----- Original Message -----

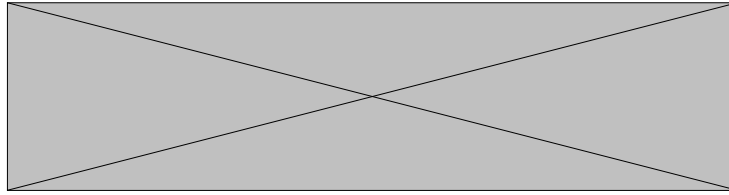
Subject: Re: DHS RAPE/MURDERS–SCHOOL SHOOTINGS

From: "Senator Debbie Stabenow" <[senator@stabenow.senate.gov](mailto:senator@stabenow.senate.gov)>

Date: Wed, December 23, 2015 11:48 am

To: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

CLV000165



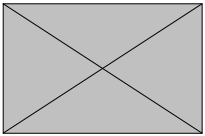
Dear Jerome,

Thank you for contacting me about the reports of sexual misconduct and abuse by U.S. Customs and Border Protection agents. I appreciate that you have taken the time to communicate your views and concerns with me.

I share your concern about this issue. Should related legislation come before the U.S. Senate for a vote, I will keep your views in mind, and share your thoughts on this issue with my colleagues who serve on the Senate Homeland Security and Governmental Affairs Committee.

Thank you again for contacting me. Please continue to keep me informed about issues of concern to you and your family.

Sincerely,



Debbie Stabenow  
United States Senator

U.S. Senator Debbie Stabenow  
The United States Senate • Washington, DC 20510  
[stabenow.senate.gov](http://stabenow.senate.gov)

**POLICE NOT EQUIPPED FOR TERROR ATTACK IN NYC-OR ANYWHERE ELSE**

<http://observer.com/2015/11/sergeants-union-boss-nypd-patrol-cops-not-ready-for-paris-style-terror-attack/>

**9/11 WARNINGS IGNORED BY AUTHORITIES**

<http://www.wnd.com/2006/03/35348/>

<http://www.newsweek.com/saudi-arabia-911-cia-344693>

<http://truth-out.org/archive/component/k2/item/61531:fbi-agent-says-he-warned-of-911-hijackings>

[http://www.democracynow.org/2004/4/9/two\\_fbi\\_whistleblowers\\_accuse\\_bureau\\_of](http://www.democracynow.org/2004/4/9/two_fbi_whistleblowers_accuse_bureau_of)

<http://www.cbsnews.com/news/fbi-was-warned-about-flight-schools/>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=fbi%20agent%20warning%20911>

**WHAT IS NOW DHS AND NYC WERE WARNED AT THE SAME TIME OF THE THREAT AND ONLY ACTED AFTER MY FORECAST CAME TRUE**

CLV000166

----- Forwarded Message -----

**From:** "WEB.COMMENTS@customs.treas.gov" <WEB.COMMENTS@customs.treas.gov>  
**To:** [REDACTED]  
**Sent:** Thursday, September 20, 2001 9:40 AM  
**Subject:** Detroit/Windsor security/GYR

Thanks for your message. I am forwarding it onto the Security Team for investigation.

Customs/GYR

[REDACTED] (Jerome Almon)  
09/14/01 03:54 PM

To: [web.comments@customs.treas.gov](mailto:web.comments@customs.treas.gov), [technical@customs.treas.gov](mailto:technical@customs.treas.gov)  
cc:  
Subject: U.S. Customs Website Comment.

Below is the result of your feedback form. It was submitted by  
Jerome Almon [REDACTED] on Friday, September 14, 2001 at 15:54:31

email: [REDACTED]

subject-of-this-message: Detroit/Windsor Security

website\_comments: I have had previous contacts with your office issues (specifically Bonnie Tischler). I feel it is necessary to reintroduce this information ( I will send a copy of this information to US Senator Carl Levin.) I have made complaints against certain procedures and individuals at the Detroit/Windsor border crossing. I also corresponded with the Canadian Minister for Immigration (Elinor Caplan) concerning the fact that even the supervisors at the Canadian border do not understand much of the information they need to concerning legitimate vs. false documentation. (I unfortunately am able to prove this point.) Meaning if say a person was on a wanted list -the Canadians often ask the person to interpret the information. Finally the Detroit/Windsor tunnel. It is a disaster waiting to happen. Since the US checks cars AFTER they have entered the tunnel (as does Canada) -doesn't that defeat the objective of stopping a terrorist act in the tunnel? The check should happen before the tunnel is entered, and after-or the tunnel should be closed.

-----  
REMOTE\_ADDR: 24.131.62.95  
HTTP\_USER\_AGENT: Mozilla/4.0 (compatible; MSIE 5.0; Windows NT; DigExt)

I originally warned a agent at a federal law enforcement entity of the threat on 9/11 and although he agreed I was correct, he took no action, stating he didn't exactly know what to do regarding the information, and that he was quite frankly stunned at the danger. Only when an individual drove through the tunnel with what appeared to be a bomb on his front seat did the politicians take the matter up, as you will see with NYC. The tunnel is in a far worse position than it was on 9/11 due to Detroit's economic collapse, the influx of more Middle Easterners into Canada, and this <http://www.reuters.com/article/us-detroit-tunnel-bankruptcy-idUSBRE9600RT20130725>.

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Tighter security at border hits snag

CLV000167



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WASHINGTON -- Checking travelers between the United States and Canada after they've crossed the border -- which some liken to checking airline passengers after they land -- is being scrutinized by officials concerned that bridges and tunnels could be vulnerable to attack. Lawmakers are pressuring the U.S. Customs Service and Canadian officials to come up with a decision this week on whether the countries can swap inspection locations.

An alternative to paying a toll, crossing the bridge or tunnel, and then being scrutinized by Customs officials once inside the other country's territory is to do inspections before crossing.

Although the reverse inspection system is the only solution being lobbied to enhance infrastructure safety, the two nations haven't agreed on how to settle legal obstacles. An old idea revived by the Sept. 11 terrorist attacks, a revised system would involve numerous agencies in both countries in the decision.

"This reverse clearance proposal has a number of sovereignty and structure issues attached to it," said Michel Proulx, spokesman for the Canada Customs and Revenue Agency in Ottawa.

"There are a lot of players involved in all of this. It's difficult to get a sound, concrete answer. No one department or agency would be able to say yes or no."

There's little to stop someone who wanted to damage the Ambassador Bridge, Detroit-Windsor Tunnel, or even Detroit Metropolitan Airport, if the crime is done before the perpetrator even gets to an inspection point, critics say.

Besides the human safety concern, destroying any one of the border-crossing points would do serious harm to the auto industry, one of the United States' economic engines, and many other businesses that rely on just-in-time delivery of material. Michigan had \$70 billion in trade with Canada in 2000.

**"Every time I drive through that tunnel, I expect something to happen," said Jerome Almon, a Detroit resident who drives to and from Toronto at least twice a month.**

**"Osama bin Laden says the economy is what they want to attack, and you cannot find a more decimating effect than that bridge or tunnel on our economy. You will kill Detroit, it's over, goodbye. But think of the effect on the rest of America."**

**Firearms an issue**

Aside from jurisdiction, the question of whether U.S. Customs agents should carry firearms in Canada is of particular concern to Canadians. Canada is known for being much less tolerant of guns than the United States.

"Our Customs officers are not armed and at this point in time we still feel there is no reason for them to be," Proulx said.

"We have a study going on right now to determine whether the tools they have are adequate to do their jobs safely and with full security."

The U.S. (agents) are (armed) and definitely that would be one of the snags in the issue."

The preclearance concept does have precedent. U.S. Customs agents inspect U.S.-bound passengers at six Canadian airports so they don't have to be routed through Customs once they arrive like travelers on flights from every other country, said former Michigan Gov. James Blanchard.

He spearheaded the "open skies" agreement when he was U.S. ambassador to Canada.

The real stumbling block to doing this at bridges and tunnels will be working out how much authority each side is given to enforce the other country's laws, he said.

"You could always prevent (a suspicious passenger) from getting on the plane," Blanchard said. "The question is who arrests them, can they say 'I choose not to fly' then go home, or do we hold them?"

Sen. Carl Levin, D-Detroit, said he thinks all of the issues can be worked out.

"The only impediment here is bureaucratic impediment," he said. "Even though there's supposed to be an urgency after Sept. 11, there seems to be some unnecessary foot-dragging."

Levin and Sen. Debbie Stabenow, D-Lansing, sent a letter to Customs Commissioner Robert Bonner on Jan. 4, insisting on a progress report by Friday.

"It is obvious that inspecting vehicles for dangerous contents such as bombs or explosives after they enter our tunnels or cross our bridges is inadequate," they wrote.

Customs spokesman Jim Michie said he wasn't sure when a decision would be made on reverse inspections, but that it was being closely studied.

Tighter local security

Local authorities say they've taken the steps they can to bolster security.

Travelers who use the Detroit-Windsor Tunnel are no longer allowed through unless operators are certain they can make to the other side without backups, said Gordon Jarvis, president of the Detroit & Canada Tunnel Corp.

"If there is an incident and you need to get out, there is space for you to do so, and there are fewer cars in the tunnel at any one time," Jarvis said. "It also makes it much easier for us to identify when there are incidents in the tunnel."

Jarvis said reverse inspections are a viable option at the tunnel, despite the smaller queue area, compared to other crossing points like the Ambassador Bridge.

The owners of the Ambassador Bridge have installed new lighting, fencing and surveillance cameras, as well as armed security 24 hours a day, said Dan Stamper, president of the Detroit International Bridge Co. Stamper said the bridge company is paying for the extra security.

"We're not sure whose responsibility it is for the cost of security, but we are not in the position to say it's not going to be done," he said.

The bridge authority has completed plans showing that logistically, preclearance can be implemented on an interim basis within 90 days,

Stamper said. In doing so, there would be the added bonus of huge efficiencies in traffic flow.

"The current six lanes that cross the border, two at the tunnel and four at the bridge, become traffic lanes and not parking lots," Stamper said. "It increases the capacity of both the tunnel and the bridge, a lot more than anything else we can do today."

Blue Water Bridge study

Bruce Campbell, the engineer manager of the Blue Water Bridge, said the proposal is being examined as part of a long-term security review of the span connecting Port Huron with Sarnia, Ontario.

With the Ambassador Bridge being the busiest U.S.-Canada entry point, carrying 12 million vehicles a year, the economic implications for the region are enormous.

"One 18-wheeler goes across that bridge every eight seconds," said Carmine Palombo, director of transportation planning at the Southeast Michigan Council of Governments.

The implications for the bridge and tunnel operators are significant as well.

"They're all looking at an out-of-pocket expense they hadn't anticipated," said Neil Gray, director of government affairs at the International Bridge, Tunnel and Turnpike Association, which represents toll agencies.

"Nobody wants to do a toll increase to reflect this, in fact I'm not sure anyone has proposed one, but it's an issue we are all having to think about."

Protecting airports is a concern as well, though most of the attention has been on protecting aircraft against air piracy, Capt. Duane E. Woerth, president of the Air Line Pilots Association, told senators late last year.

Noting that airports in Rome and Vienna have been hit, Woerth said he's worried terrorists could attack ticket counters, check-in facilities and lines of passengers waiting outside.

Airlines, bridges and tunnels are experiencing lower traffic flow because of leisure travelers concerned about terrorist risks.

**Almon, the Detroit who travels to Toronto on business, said he's a former combat engineer with the Army and he's concerned about how easily a carload of explosives put together with store-bought material could take out the bridge or tunnel.**

**"At the mouth of the Detroit tunnel sits General Motors headquarters, a terrorist would get two for one with that," Almon said.**

<http://www.dailymail.co.uk/news/article-1334404/US-subway-tunnels-terror-proof-600m-ring-steel.html>

<http://nypost.com/2010/11/30/path-tunnels-get-600m-ring-of-steel/>

<http://www.cbc.ca/news/canada/windsor/story/2012/07/12/wdr-windsor-detroit-tunnel-closed.html>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=bomb%20in%20detroit%20windsor%20tunnel>

Ahmed Ressam, the Millennium bomber had the Detroit–Windsor tunnel, GM HQ, and the Ambassador Bridge as his secondary targets if he could not reach LAX. Had he chosen either, he would have been 100% successful and 9/11 would not be close to America's worst terrorist attack. <https://www.fbi.gov/about-us/history/famous-cases/millennium-plot-ahmed-ressam>

**THIS EMAIL WAS THE RESULT OF ONE OF NUMEROUS SECURITY WARNINGS I SENT TO THE CANADIANS COMING TRUE AND THE US SECURITY AND POLITICAL AUTHORITIES NOT UNDERSTANDING THE IMMINENT DANGER**

From: Minister of Transport, Infrastructure and Communities / Ministre des Transports, de l'infrastructure et des Collectivités <[MINTC@tc.gc.ca](mailto:MINTC@tc.gc.ca)>

Date: Thu, Oct 13, 2011 at 1:24 PM

Subject: Proposed construction of a new bridge

To: [REDACTED]

Cc: "[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)" <[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)>

Dear Mr. Almon:

Thank you for your correspondence of July 18, 2011, regarding the proposed construction of a new bridge between Detroit and Windsor. Please accept my apologies for the delay in replying.

Again, thank you for writing and for providing me with your comments.

Yours sincerely,

Denis Lebel, P.C., M.P.

c.c. Office of the Right Honourable Stephen Harper, P.C., M.P.  
Prime Minister

The issue with the Ambassador Bridge is equally troubled, the owner has successfully blocked a new bridge being built. The issue too closely resembles the Dubai Ports issue [https://en.wikipedia.org/wiki/Manuel\\_Moroun](https://en.wikipedia.org/wiki/Manuel_Moroun). Ottawa wrote me 90 days after my warning to CYA and because again what I warned them about occurred.

The largest portion of the trade comes through the tunnel and bridge mentioned  
<https://www.commerce.gov/news/blog/2014/01/secretary-pritzker-highlights-strong-economic->

CLV000171

**PARIS–SAN BERNARDINO–BRUSSELS**

----- Original Message -----

Subject: RE: JEROME FROM WAYNE STATE UNIVERSITY

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Wed, October 21, 2015 11:44 am

To: "Mitja\_Žagar" <[mitja.zagar@guest.arnes.si](mailto:mitja.zagar@guest.arnes.si)>

Dr. Zagar–

Good to hear from you. I am sorry I just got to my email messages, I am working on several other huge projects that all come back to the migrant issue. I will have to hook up Skype, I don't know how it works to be honest.

The situation in the States is pretty dire. We are essentially at civil war with the country collapsing socially. All of the work that you and Dr. Feinstein did and your forecasts turned out to be 100% accurate. Simply put, America bet on the wrong people with the wrong plans and now we are getting our comeuppance.

I am against the re-settling of immigrants in the US or Europe, it will most certainly lead to more conflict in both areas and the Middle East. The only hope is establishing a safe zone in Syria and Iraq, which is as close to impossible as it gets considering the collapse of the basic structures and the radicalization of the factions. Electing George Bush was the worse event that has happened to the world since WWII. I will get on Skype and send you another email asap. I am moving to Berlin to work on a large social media project in the next 30–60 days. In the meantime I am sending these articles for your review concern my thoughts on the migrant issue. Would you be able to attend a conference on the issue of the migrants and school shooter issues in Europe or the US with all expenses and a fee paid to you?

**The other issue I am extremely concerned about is a threat that would end Detroit, cost America 2 million jobs in a week, and plunge the stock market to below 2008 and 911 levels. The Iran deal was done in part due to Iran has 40,000 agents in or at America's borders prepared to attack if Iran's nuclear facilities were attacked. That is the good news, the bad news is the Sunnis have 3X that many agents in the US and are preparing for their "Islamic Tet offensive."** With Russia, out of necessity intervening in the Syrian/Iraq war and the US govt. giving behind the scenes approval for the Russian–Iranian–Alawite axis which will inevitably bring in Israel and the US the Sunnis will go after the US and Canadians on their own soil in a much more aggressive and massive way. My assessment is that the Chinese will be drawn into the war due the unrest with the Xinjiang Province

and the Uighars. The Islamic State (IS) has spread throughout Central Asia and will take Afghanistan and defeat the Taliban in the end unless there is a "mass war event." It is my contention that Putin has decided to that. He cannot lose the Syrian-Iraq War, he cannot allow the IS to continue to grow in the Central Asian Republics, and Afghanistan, and he is not giving up Crimea, and does not have the military resources nor money to fight a prolonged war. I believe Putin is planning to use a tactical/battle field nuclear weapon (NATO appears to be thinking that way on the Ukraine which is insane). Most of the intelligence guys that I respect believe that is the only way to stop the IS/Sunnis or to completely withdraw from the Middle East. What is your opinion?

Thanks-

Jerome

(My numbers on the size of the networks mentioned are accurate I assure you. 2 other respected security/intelligence officers that have a proven track record of accuracy, agree with me. The messages I sent to US authorities were more detailed and were sent in the Spring of 2014, and the Spring and Summer of 2015.)

#### **DR. ZAGAR BIO**

#### **CV**

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=mitja%20zagar%20cv>

#### **INTERVIEW**

[http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h\\_b\\_7620756.html](http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h_b_7620756.html)

#### **PUTIN STATEMENT ON NUCLEAR WEAPONS**

<http://www.express.co.uk/news/world/625465/Islamic-State-Russia-Vladimir-Putin-threatens-bomb-ISIS-nuclear-weapons>

#### **WARNING TO AIRLINE INDUSTRY THAT FORESAW BRUSSELS ATTACK**

----- Original Message -----

Subject: THE THREAT OF TERRORISM TO THE TRAVEL INDUSTRY AND CORRECTIONS  
THAT MUST BE MADE

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Sun, November 29, 2015 7:59 pm

To: [president@apfa.org](mailto:president@apfa.org), [Nancy.Rivard@airlineamb.org](mailto:Nancy.Rivard@airlineamb.org),  
[public-comment@alliedpilots.org](mailto:public-comment@alliedpilots.org), [PMclsaac@americanpilots.org](mailto:PMclsaac@americanpilots.org),  
[comm.chair@alliedpilots.org](mailto:comm.chair@alliedpilots.org)

Cc: [communications@apfa.org](mailto:communications@apfa.org)

CLV000173

Sir or Madam: I am forwarding the following information sent to first responders, due to its application to your industry. To be direct, I have warned your union several times since 9/11 of these very threats, and the actions of the leadership has not matched the threat. Unfortunately, this is the same conduct of law enforcement and political leadership regarding what is now a catastrophic situation. That is, the industry will suffer huge losses in both personnel and revenue due to the lack of taking prudent steps to pre-act rather than react to obvious threats. The only hope in negating or minimizing the threat is for the travel, hotel, and tourism industries along with the pilot and flight attendant unions (and their allies) to join forces and seek to have necessary security and industry support measures put in place without political consideration. The needed measures must be completely based on the real world security and economic threat that exists, and is getting worse by the minute. The losses France and Belgium are suffering are just the beginning, and minor in compared to an Egypt Air or Russian Sharm El Sheikh incident in North America or Europe. I assure you, the threat is far worse than is known even to most of the law enforcement community.

Sincerely,

Jerome Almon

### **ECONOMIC IMPACT**

<http://www.dailymail.co.uk/news/article-3338173/Terror-attacks-Paris-means-visitor-numbers-Europe-tumble-France-lost-1-4bn-tourism-revenue.html>

<http://www.dailymail.co.uk/news/article-3338512/EU-leaders-agree-Turkey-2-1-billion-help-tackle-migrant-crisis-tighten-security-borders.html>

### **UNADDRESSED THREATS TO YOUR INDUSTRY**

–Foreign pilots compromised by ISIS or Al Qaeda committing an act similar to the pilot of Egypt Air 990 at an airport, city, or against another passenger airliner –An attack on airports using car/truck bombs and suicide bombers/shooters against shuttle buses and the non-secure areas of the airport such as ticketing –Compromised airport personnel (this is worse than is indicated here)

<http://www.nydailynews.com/news/world/isis-terrorist-minneapolis-worked-major-american-airport-report-article-1.1925924>

<http://www.express.co.uk/news/world/622702/easyJet-Paris-attacks-France>

<https://www.rt.com/news/323811-paris-airports-fired-radicalization/>

## **TRUE STATE OF THE TERRORIST THREAT IN AMERICA**

From Canada's CIA (CSIS):

*"Many Canadians may be surprised to learn that, with the exception of the United States, there are more terrorist groups active in Canada today than in any other country in the world."*

### **VERIFICATION**

<http://www.torontosun.com/2013/01/23/algerian-terrorists-had-canadian-ties-eh>

The information was removed from the website in late 2013 due to White House protests, the largest number of these terrorist are at the South end and North end of the tunnel and bridge cited below.

### **THESE REPORTS ARE FICTION**

<http://www.cnn.com/2015/12/01/politics/isis-in-united-states-research/>

<http://www.foxnews.com/world/2016/03/23/isis-trains-400-fighters-to-attack-europe-in-wave-bloodshed.html>

There are more than 400 ISIS operatives and 300 recruiters in my neighborhood. As with the deliberate ignoring of the 9/11 warnings, these non-scientific reports will result in the deaths of untold numbers of civilians.

### **ISIS INTELLIGENCE FRAUD**

<http://www.cnn.com/2015/12/01/politics/michael-flynn-obama-isis/>

<http://www.thedailybeast.com/articles/2016/04/03/intel-analysts-we-were-punished-for-telling-the-truth-about-obama-s-isis-war.html>

[http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?\\_r=0](http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?_r=0)

This failure to provide and act on the factual information regarding ISIS has led to every death of Westerners from 2012 forward– at least including Paris and Brussels. It also has American cities in the disastrous position they are in.

### **BND WARNING TO GERMAN CHANCELLOR ANGELA MERKEL**

<http://www.dailymail.co.uk/news/article-3290092/Germany-s-secret-service-warns-country->



[importing-Islamic-extremism-anti-Semitism-people-s-ethnic-conflicts-different-understanding-society.html](#)

## **NEW YEARS EVE RAPES/RAPES ACROSS EUROPE FROM REFUGEES**

[http://www.dailymail.co.uk/news/article-3388422/Huge-influx-migrant-men-lead-sex-attacks-like-Cologne-says-analyst-police-reveal-gangs-blocked-reaching-women-screamed-help.html](#)

## **REFUGEE SUPPORTER AND MAYOR OF COLOGNE VICTIM AND HYPOCRITE**

### **COLOGNE MAYOR FIRES POLICE CHIEF OVER NEW YEARS EVE RAPES**

[http://www.thelocal.de/20160108/po](#)

## **COLOGNE MAYOR STABBED FOR SUPPORTING REFUGEES**

[http://www.thelocal.de/20151017/german-mayoral-candidate-stabbed-in-cologne](#)

## **ATTACKS ON REFUGEES IN GERMANY REACHES MORE THAN 1,000**

[http://www.dw.com/en/report-five-times-more-attacks-on-refugee-homes-in-germany-in-2015/a-19011109](#)

## **EU/AUSTRALIAN ISSUE**

[http://www.dailymail.co.uk/news/article-3291416/Google-defamed-Australian-woman-auto-complete.html](#)

[https://www.google.com/#filter=0&q=American,%20Australian,%20And%20European%20Group%20Calls%20For%20Shut%20Down%20Of%20Ripoff%20Report](#)

## **WE ARE NOW AT THE CENTER OF THIS CASE IN THE EU**

[http://www.wsj.com/articles/eu-to-pursue-google-parent-alphabet-on-multiple-fronts-vestager-says-1445817842](#)

## **RIPOFF REPORT IS THE BUSINESS AND ROLE MODEL FOR THESE CRIMINALS**

[http://www.nbcnews.com/news/crime-courts/revenge-porn-kingpin-hunter-moore-pleads-guilty-faces-jail-n313061](#)

[http://www.nbcsandiego.com/news/local/Kevin-Bollaert-Revenge-Porn-Sentencing-San-Diego-298603981.html](#)

[http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article\\_cce5e80f-786a-5f66-8763-3ecb30cadb71.html](http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article_cce5e80f-786a-5f66-8763-3ecb30cadb71.html)

On Fri, 10/20/06, [bayly@.de](mailto:bayly@.de) <[bayly@.de](mailto:bayly@.de)> wrote:

From: [bayly@.de](mailto:bayly@.de) <[bayly@w.de](mailto:bayly@w.de)>

Subject: FW: jerome almon

To: [REDACTED]

Date: Friday, October 20, 2006, 3:42 PM

hey jerome... how ru doing? well, received the following e-mail today.... tell me if i should give him the contacts he wants or if u wanna do it urself... my mom is here for 4 days.. been to jazz concert yesterday and will go to branford marsalis concert 2morrow... its jazz too.... and right now just got back from the adidas store... man i am addicted ;) cant go there without buying smth... even when i am broke just like right now... well, hope to hear from u...

(I refused to do the documentary below for the same reasons certain entities need to police themselves better.)

Von: "scott corben"

Gesendet: 20.10.06 12:41:27

An: [bayly@.de](mailto:bayly@.de)

Betreff: jerome almon

Hi Katja,

I got your contact details from Marie at Freemuse in Denmark. My name is Scott Corben and I am a producer with Al Jazeera Television in London.

I am researching a piece on soldier in the United States and

I am really keen to speak to a guy called Jerome Almon. I believe he is based in Detroit. Maries tells me that you may have some way of contacting him. If you have an up to date email or phone number I'd really appreciate it.

Look forward to hearing from you

best regards,

Scott

Producer/Director "Top Secret"

Al-Jazeera Satellite Channel Ltd

7th Floor Westminster Tower

3 Albert Embankment London SE1 7SL

Switchboard: [+44 \(0\) 207 820 4820](tel:+442078204820)

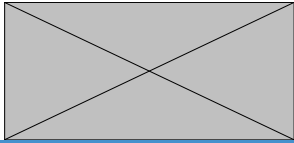
CLV000177

Fax: [++44 \(0\) 207 820](tel:++44(0)207820)

## **BIO**

- I am a university lecturer/expert on domestic violence, international politics, terrorism, and urban crime. I worked under global experts Dr.'s Mitja Zagar (Slovenia and co-author of their Constitution/Syrian refugee & security expert/Top EU negotiator), Otto Feinstein head of the Urban Agenda and author of Ethno-Development, Richard Mansbach-CIA consultant, and worked on the UN project at the University of Toronto the Delphi Project out of Belgium. Recommendation on a security issue led to DHS changing its border policy and NYC spending \$600 million to correct a catastrophic security flaw. I have been the target of an Al Jazeera documentary due to my correct predictions as well as featured on the front page of the most visited Jihadist website on Earth for a decade.
- 1 year tour in the first Iraq War, am a paratrooper, combat engineer (explosives expert, featured on A&E for saving my unit's mission during combat, and awarded directly from the Pentagon for saving my task force's mission), was drafted as a translator during the war and POW camp designer, taught my brigade basic Arabic language, numerals, and history.

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 4/6/2018 8:06:29 AM  
**Subject:** Hong Kong Aims To Grab Bigger Share Of Global Listings



**PUBLIC POLICY.**

Is Life As A Lawyer Making You Happy?

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Friday, April 6, 2018

## TOP NEWS

### Analysis

#### Hong Kong Aims To Grab Bigger Share Of Global Listings

The Hong Kong Stock Exchange's long-awaited overhauls that would ease listing rules for prerevenue companies and those with uneven voting structures are likely to help the region draw firms that would otherwise flee to the U.S. or elsewhere, experts say. [Read more »](#)

### Analysis

#### Autonomous Car Regs In Murky Territory After Crashes

As investigators piece together what caused a pair of fatal Uber and Tesla self-driving car accidents last month, industry observers say it's increasingly difficult to gauge whether federal or state regulators will tighten the screws on autonomous car testing. [Read more »](#)

#### SEC Says \$15B Disgorgement Suit Misinterprets Kokesh

The U.S. Securities and Exchange Commission told a Massachusetts federal judge on Wednesday that a liquidation trustee's lawsuit seeking almost \$15 billion in allegedly ill-gotten disgorgements not only fails to state a claim, but misapplies the U.S. Supreme Court's recent Kokesh decision on which the suit is based. [Read more »](#)

#### States Sue EPA For Stalling On Methane Regulations

Attorneys general and corporation counsel from 14 states and two cities on Thursday urged a D.C. federal judge to force the U.S. Environmental Protection Agency to clamp down on methane emissions from existing oil and gas infrastructure, saying the agency has shirked its legal duty to craft the standards. [Read more »](#)

#### Trump Floats New Tariffs As US-China IP Scrap Intensifies

The acrimonious dispute between the U.S. and China over Beijing's intellectual property regime approached a fever pitch Thursday as the Trump administration responded to Chinese threats of retaliation with a vow to impose more tariffs on an additional \$100 billion worth of Chinese imports. [Read more »](#)

#### Panama Sharing Foreign Account Tax Data With 28 Countries

Panama has started automatically providing data about foreign owners of financial accounts to 28 other countries in the Organization for Economic Cooperation and Development's tax information-sharing system, the OECD announced Thursday

[Listen to our new podcast here](#)

### LAW FIRMS

Alston & Bird  
Archer & Greiner  
Baker McKenzie  
Ballon Stoll  
Barnes & Thornburg  
Becker & Poliakoff  
Blank Rome  
Boies Schiller  
Brown Rudnick  
Bryan Cave  
Cantey Hanger  
Capshaw DeRieux  
Connell Foley  
Cooley  
Cotsirilos Tighe  
Cravath Swaine  
DLA Piper  
Day Pitney  
Dorsey & Whitney  
Drinker Biddle  
Eastern Environmental Law Center  
Foley & Lardner  
Gibson Dunn  
Gupta Wessler  
Haynes and Boone  
Hogan Lovells  
Holland & Knight

CLV000179

while updating how the system's reporting standards should be implemented. [Read more »](#)

## BANKING & SECURITIES

### SEC Launches Deliberations On New Plan For Bitcoin ETFs

The U.S. Securities and Exchange Commission said Thursday it will begin proceedings to determine whether to allow Chicago Board Options Exchange Inc. to launch bitcoin exchange-traded funds, mirroring a move it made last month with the New York Stock Exchange that could delay a final decision on the issue for months. [Read more »](#)

### Longtime DOJ Prosecutor To Head SEC's Chicago Office

The U.S. Securities and Exchange Commission announced Thursday that 25-year Justice Department veteran Joel R. Levin has been named director of the agency's regional office in Chicago and will take over the role next month. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### PennEast Needs NJ Land For \$1B Pipeline, Judge Told

PennEast Pipeline Co. LLC on Thursday told a federal judge that it needs immediate access to more than 100 New Jersey properties along the course of its planned \$1 billion natural gas pipeline or else it won't be able to complete time-sensitive environmental assessments needed to meet regulatory deadlines for the project. [Read more »](#)

## EMPLOYMENT

### FDIC Applicant Can't Fight Obama-Era Federal Hiring Program

The Second Circuit on Thursday affirmed dismissal of an age discrimination suit challenging an Obama administration initiative aimed at bringing younger workers into the federal workforce, saying the program wasn't in effect when the applicant behind the suit was denied a job at 41. [Read more »](#)

## COMPETITION

### AT&T's Own Words Used Against It In DOJ Merger Challenge

The U.S. Department of Justice confronted AT&T executives with their own words in D.C. federal court on Thursday to illustrate the alleged underlying motives behind the proposed Time Warner merger, including one exchange deriding programmers licensing content to online distributors as "short-sighted whores" undermining traditional pay-TV providers. [Read more »](#)

## AEROSPACE & DEFENSE

### DOD Transgender Policy Not 'Medically Valid,' AMA Says

There is no "medically valid" reason to exclude transgender people from the military, the American Medical Association said in a letter released Wednesday, hitting back at Defense Secretary James Mattis' reasoning underlying President Donald Trump's partial ban on transgender troops. [Read more »](#)

### White House Says Trump Won't Interfere With DOD Cloud Deal

President Donald Trump will not intervene in the U.S. Department of Defense's contentious multibillion-dollar cloud contract, in which Amazon, the subject of heavy recent criticism from the president, is seen as the front-runner, the White House said Wednesday. [Read more »](#)

Horvitz & Levy  
Jones Day  
King & Spalding  
Kirkland & Ellis  
Klinedinst  
Knobbe Martens  
LeClairRyan  
LegalForce RAPC Worldwide  
Littler Mendelson  
Marashlian & Donahue  
McDermott Will  
McKirdy & Riskin  
Motley Rice  
Munger Tolles  
Nelson Mullins  
O'Melveny & Myers  
Paul Weiss  
Perkins Coie  
Reed Smith  
Shearman & Sterling  
Sidley Austin  
Snell & Wilmer  
Squire Patton Boggs  
Stark & Stark  
Thompson Hine  
White & Case  
Williams & Connolly  
Williams Mullen

## COMPANIES

AT&T Inc.  
Alibaba Group Holdings Ltd.  
American Civil Liberties Union  
American College of Trial Lawyers  
American Medical Association Inc.  
Apple Inc.  
BeiGene Ltd.  
Brooklyn Defender Services  
C. R. Bard, Inc.  
CBOE Holdings Inc.  
CITGO Petroleum Corp.  
CTIA  
Comcast Corporation  
Competitive Carriers Association  
Conservation Law Foundation  
DISH Network Corporation  
Exxon Mobil Corporation  
F-Squared Investment Management LLC  
Halyard Health Inc.  
Hong Kong Exchanges and Clearing

## FCC Regimen Could Help Prevent False Alerts, Official Says

FCC Commissioner Jessica Rosenworcel suggested Thursday that the agency should use some of its built-in reporting processes to encourage states to sharpen their emergency communications plans in the aftermath of a rogue alert sent by a misguided Hawaii state employee earlier this year. [Read more »](#)

## INTERNATIONAL TRADE

### CIT Gives Early Blessing To Trump's 25% Steel Tariff

The U.S. Court of International Trade on Thursday indicated that the Trump administration was within its rights to impose a 25 percent tariff on imported steel for national security reasons, citing the broad wording of the Cold War-era statute that gave rise to the levy. [Read more »](#)

### Trump Not Expected To Tackle NAFTA At Upcoming Summit

Despite President Donald Trump's recent threats to back out of the North American Free Trade Agreement, further talks on the newly controversial trade deal are unlikely to happen during an upcoming regional summit in Peru, senior administration officials said on Thursday. [Read more »](#)

## TAX

### Analysis

#### County's Use Of Gross Receipts Tax Sinks Its Cert Quest

The type of tax — a gross receipts tax — used by a Virginia county to levy tax on a duty-free shop at Dulles International Airport likely played a pivotal role in the U.S. Supreme Court's decision to pass up a case in which the county argued its tax applied even on the sales of duty-free goods to passengers traveling outside the United States, experts told Law360. [Read more »](#)

### NJ Panel Advances SALT Cap Workaround To Full Assembly

The New Jersey Assembly Appropriations Committee advanced a bill Thursday that would provide property tax credits to taxpayers making certain qualified charitable donations, an effort to counter the federal tax reform, which limits the federal state and local tax deduction to \$10,000. [Read more »](#)

### NJ Gov. Sends Prepaid Property Tax Bill Back For Changes

New Jersey Gov. Phil Murphy issued a conditional veto Thursday and recommended changes to a bill that would allow taxpayers to make dedicated prepayments toward anticipated property taxes and allow homeowners to prepay any quarterly property tax installment before the issuance of the tax assessment. [Read more »](#)

## IMMIGRATION

### Groups Sue Over Trump Action On Immigrant Bond Hearings

The New York Civil Liberties Union and other organizations filed a class action in New York federal court Wednesday challenging the Trump administration's decision to stop providing bond hearings to certain immigrants held in mandatory detention for six months. [Read more »](#)

### California Is Missing Piece In Trump's National Guard Plan

President Donald Trump needs the support of border governors to deploy the National Guard in combating unauthorized immigration, but California has yet to fall in with the other states, which have embraced the plan. [Read more »](#)

### Dems Request Info On Adding Citizenship Question To Census

Democrats on the House Oversight and Government Reform Committee asked the Trump administration on Wednesday to turn over documents outlining how it

International Business Machines Corporation

Johnson & Johnson

Kimberly-Clark Corporation

LegalZoom.com Inc.

Lockheed Martin

Microsoft Corporation

MillerCoors LLC

NASDAQ OMX Group Inc.

NBCUniversal Inc.

NVIDIA Corporation

National Consumer Law Center

Oracle Corp.

Ping An Insurance

PricewaterhouseCoopers

QUALCOMM Incorporated

SAIC Inc.

Snap Inc.

Tax Foundation

The Boeing Company

The DIRECTV Group, Inc.

The Land Trust Alliance Inc.

Time Warner Inc.

Toyota Motor Corporation

Turner Broadcasting System Inc.

Uber Technologies Inc.

Verizon Communications

Washington Metropolitan Area

Transit Authority

Washington Post Co.

Wayfair LLC

Whirlpool Corporation

Yale University

## GOVERNMENT AGENCIES

Department of Commerce

European Union

Federal Bureau of Investigation

Federal Communications  
Commission

Federal Deposit Insurance Corp.

Federal Emergency Management  
Agency

Federal Energy Regulatory  
Commission

Federal Trade Commission

Financial Conduct Authority

Food and Drug Administration

Internal Revenue Service

NAFTA

National Highway Traffic Safety  
Administration

National Oceanic and

reached its decision to add a citizenship question to the 2020 census. [Read more »](#)

## NATIVE AMERICAN

### Navajo Nation Sues DOI For Full 2018 Judicial Funding

The Navajo Nation sued the U.S. Department of the Interior on Thursday seeking the full \$17 million it requested for judiciary funding for 2018, saying the federal government's decision to only pay part of the sum flouted the Indian Self-Determination and Education Assistance Act. [Read more »](#)

## TELECOMMUNICATIONS

### Feature

#### Top 4 Groups Lobbying The FCC

During the month of March, conversation at the Federal Communications Commission continued to revolve around barriers to infrastructure deployment as industry groups urged the agency to exempt small cells from certain environmental and historic review processes. Here, Law360 looks at the top organizations lobbying the FCC in the past month. [Read more »](#)

#### Former FTC Chair Opposes Mass. Net Neutrality Bill

A former Federal Trade Commission chair under the Obama administration, who now co-chairs a lobby group funded by telecom giants, has testified against a state net neutrality bill to Massachusetts lawmakers, arguing it would be preempted and that a federal solution is needed. [Read more »](#)

## WHITE COLLAR

### Judge Stands Firm On Sanctions In Hastert Whistleblower Suit

An Illinois federal judge on Thursday declined to reconsider sanctions he ordered against a whistleblower and his lawyers who filed a since-tossed qui tam suit against former U.S. House Speaker Dennis Hastert over alleged government fund misuse, saying the penalties are "harmonious with procedural and substantive requirements." [Read more »](#)

## EXPERT ANALYSIS

### How Florida Affirmed Fiduciaries' Lawyer-Client Privilege

The lawyer-client privilege is a cornerstone of the American legal system. But until recently, there was significant doubt in Florida as to whether communications between a lawyer and a fiduciary client could be kept confidential from a beneficiary seeking to compel the production of those communications, say Paul Marino and Jay Kauffman of Day Pitney LLP. [Read more »](#)

### What To Expect From China's Antitrust Consolidation

China is concentrating all antitrust regulation and enforcement in one agency — one of the most significant changes since the Anti-Monopoly Law came into force 10 years ago. The consolidation has the potential for both positive and negative implications, say attorneys with White & Case LLP. [Read more »](#)

### Why High Court Ruling Matters For Compact Clause Entities

The U.S. Supreme Court recently held that the United States could maintain a suit to enforce terms of an interstate compact — even where it was not a signatory of the compact. This decision offers clues about how the high court might deal with issues of compact construction that have gone unresolved for some time, says Matthew Tripolitsiotis of Boies Schiller Flexner LLP. [Read more »](#)

## LEGAL INDUSTRY

Atmospheric Administration

Navajo Nation

New Jersey Department of  
Environmental Protection

New Jersey Legislature

New York Attorney General's  
Office

Office of the U.S. Trade  
Representative

Port Authority of New York & New  
Jersey

Securities and Exchange  
Commission

Solicitors Regulation Authority

U.S. Attorney's Office

U.S. Census Bureau

U.S. Department of Defense

U.S. Department of Homeland  
Security

U.S. Department of Justice

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Environmental Protection  
Agency

U.S. Postal Service

U.S. Supreme Court



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**Feature****Why Selling Products May Be The Future For Law Firms**

Many law firms that simply offer legal services may be missing out on the opportunity to grow larger faster, and bring in more revenue with less manpower, by failing to turn at least some of their expertise and knowledge into products. [Read more »](#)

**Law360's Weekly Verdict: Legal Lions & Lambs**

Gibson Dunn & Crutcher LLP snagged this week's top legal lions spot after it helped secure the reversal of a \$35 million malpractice verdict against Holland & Knight LLP, while Kirkland & Ellis LLP ended up a legal lamb after a jury slammed client Johnson & Johnson with \$37 million in damages over claims its talcum powder contained asbestos. [Read more »](#)

**UK Regulator Threatens Action Over Lawyers' PPI Fees**

The regulator for solicitors in England and Wales issued a second warning to the legal industry on Thursday over the fees firms charge for payment protection insurance claims, cautioning that it might take action if it thought solicitors were acting unfairly. [Read more »](#)

**TM Co. Wants Sanctions Over Witness Tampering Claims**

The law firm behind a series of lawsuits against online trademark registration services was hit with a bid for sanctions Wednesday after using a job candidate's interview statements in a complaint and then accusing the candidate's mentor of witness tampering, according to a motion filed in California federal court. [Read more »](#)

**JOBS**

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**LAW FIRMS**

Holland & Knight

Gibson Dunn

Alston & Bird

Archer & Greiner

Baker McKenzie

Ballou Stoll

Barnes & Thornburg

Becker & Poliakoff

Blank Rome

Boies Schiller

Brown Rudnick

Bryan Cave

Cantey Hanger

Capshaw DeRieux

Connell Foley

Cooley

Cotsirilos Tighe

Cravath Swaine

DLA Piper

Day Pitney

Dorsey & Whitney

Drinker Biddle

Eastern Environmental Law Center

Foley & Lardner



Gupta Wessler  
Haynes and Boone  
Hogan Lovells  
Horvitz & Levy  
Jones Day  
King & Spalding  
Kirkland & Ellis  
Klinedinst  
Knobbe Martens  
LeClairRyan  
LegalForce RAPC Worldwide  
Littler Mendelson  
Marashlian & Donahue  
McDermott Will  
McKirdy & Riskin  
Motley Rice  
Munger Tolles  
Nelson Mullins  
O'Melveny & Myers  
Paul Weiss  
Perkins Coie  
Reed Smith  
Shearman & Sterling  
Sidley Austin  
Snell & Wilmer  
Squire Patton Boggs  
Stark & Stark  
Thompson Hine  
White & Case  
Williams & Connolly  
Williams Mullen

#### COMPANIES

Verizon Communications  
AT&T Inc.  
CTIA  
Comcast Corporation  
Tax Foundation  
Alibaba Group Holdings Ltd.  
American Civil Liberties Union  
American College of Trial Lawyers  
American Medical Association Inc.  
Apple Inc.  
BeiGene Ltd.  
Brooklyn Defender Services  
C. R. Bard, Inc.  
CBOE Holdings Inc.  
CITGO Petroleum Corp.  
Competitive Carriers Association  
Conservation Law Foundation  
DISH Network Corporation

Exxon Mobil Corporation  
F-Squared Investment Management LLC  
Halyard Health Inc.  
Hong Kong Exchanges and Clearing  
International Business Machines Corporation  
Johnson & Johnson  
Kimberly-Clark Corporation  
LegalZoom.com Inc.  
Lockheed Martin  
Microsoft Corporation  
MillerCoors LLC  
NASDAQ OMX Group Inc.  
NBCUniversal Inc.  
NVIDIA Corporation  
National Consumer Law Center  
Oracle Corp.  
Ping An Insurance  
PricewaterhouseCoopers  
QUALCOMM Incorporated  
SAIC Inc.  
Snap Inc.  
The Boeing Company  
The DIRECTV Group, Inc.  
The Land Trust Alliance Inc.  
Time Warner Inc.  
Toyota Motor Corporation  
Turner Broadcasting System Inc.  
Uber Technologies Inc.  
Washington Metropolitan Area Transit Authority  
Washington Post Co.  
Wayfair LLC  
Whirlpool Corporation  
Yale University

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Communications Commission  
Securities and Exchange Commission  
Internal Revenue Service  
NAFTA  
New York Attorney General's Office  
U.S. Department of Defense  
U.S. Department of Homeland Security  
Department of Commerce  
European Union  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Federal Energy Regulatory Commission  
Federal Trade Commission

Financial Conduct Authority  
Food and Drug Administration  
National Highway Traffic Safety Administration  
National Oceanic and Atmospheric Administration  
Navajo Nation  
New Jersey Department of Environmental Protection  
New Jersey Legislature  
Office of the U.S. Trade Representative  
Port Authority of New York & New Jersey  
Solicitors Regulation Authority  
U.S. Attorney's Office  
U.S. Census Bureau  
U.S. Department of Transportation  
U.S. Department of the Interior  
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**To:** Lauren Boitel[director@greenchips.org]  
**Cc:** Esthefany Arochi[earochi@LasVegasNevada.GOV]; Ana Diaz[diaza@rtcshnv.com]; Bernadette Goodemote[bgoodemote@vegaspbs.org]; Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]; Ingrid Reisman[jingrid@lvmonorail.com]; Jennifer Simich[jsimich@republicservices.com]; Marie Coleman[M3990C@lvmpd.com]; Nancy Chavez[chavezn@cityofnorthlasvegas.com]; Sasha Larkin[S6234L@LVMPD.COM]; Teresa Morrell[tmorrell@LasVegasNevada.GOV]; Tina Quigley[quigleyt@rtcshnv.com]; Tom Axtell[Taxtell@vegaspbs.org]; Tom Perrigo[tperrigo@LasVegasNevada.GOV]; Yalmaz Siddiqui[ysiddiqui@mgmresorts.com]; Clinton Pope[clinton@cbpstrategies.com]; Dave Ray[dave@grnvision.com]; Dr. Halleh Seddighzadeh[Halleh@arman.org]; Jason Bailey[jason.bailey@lvvwd.com]; Lora Picini[lpicini@caesars.com]; Marco Velotta[mvelotta@LasVegasNevada.GOV]; Mule, Elaina[Elaina.Mule@schwabbank.com]; Namita Koppa[nkoppa@LasVegasNevada.GOV]; Rae Lathrop[lathropr@rtcshnv.com]; Scott Newcomb[snewcomb@lvcva.com]; Shane Ammerman[sla@ClarkCountyNV.gov]; Shields, Henry[hshields@mgmresorts.com]; Shields, Henry[jshields@mgmresorts.com]; Tim Farkas[tfarkas@ameresco.com]  
**From:** Gwen Migita  
**Sent:** Fri 5/17/2019 4:51:18 AM  
**Subject:** Re: Board Packet and Reminder for Thursday's Meeting

EXTERNAL EMAIL

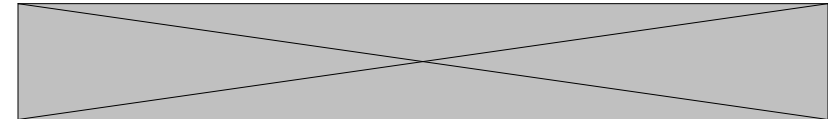
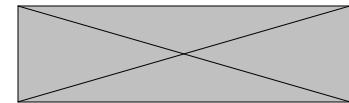
Thank you Lauren and Trustees and Board who made the meeting today. We do have several outcomes and changes/asks moving forward which entail all signing an updated Board and Trustee agreement with 75% in person meeting and other expectations. Also that each of us send the sponsor packet for the sustainability report and ConveneNV to 5 prospects each- with a \$100k targeted raised in the next two months. We will also go back to separating the Trustee and Board meetings w quarterly for Trustee and monthly for Board.

Please connect with me or Clinton with questions and concerns.

Thank you!

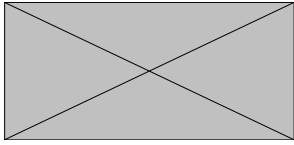
Gwen

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- > On May 16, 2019, at 3:03 PM, Lauren Boitel <director@greenchips.org> wrote:
- >
- > <Full Board Packet-May-2019.pdf>
- > <Best Practices for Sub Boards-531789.pdf>
- > <Harassment Policy.pdf>
- > <Whistleblower Protection.pdf>
- > <Addendum to ImpactNV Bylaws - 2018-10-3-5.pdf>

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 1/10/2018 9:14:08 AM  
**Subject:** New Tax Law At Odds With Treaties, International Policy



**PUBLIC POLICY.**

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**Wednesday, January 10, 2018**

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## TOP NEWS

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### Analysis

#### **New Tax Law At Odds With Treaties, International Policy**

The Republicans' sweeping tax legislation radically revised the treatment of overseas income in a way that undermines tax treaties at a time when U.S. multinational businesses will need them to resolve cross-border disputes that are on the horizon, specialists say. [Read more »](#)

### Analysis

#### **Telecom Policy Wish List For 2018**

As the new year gets underway, telecom attorneys have high hopes for certain policy changes that promise new technology strides, more civil public debate and enhanced local cooperation. Here's a look at some popular policy resolutions for 2018. [Read more »](#)

#### **DACA Compromise Negotiations Heat Up At White House**

President Donald Trump said Congress should draft a "bill of love" while also maintaining a hard line on border security in striking a deal to continue protections for beneficiaries of the Deferred Action for Childhood Arrivals program as part of negotiations at the White House on Tuesday. [Read more »](#)

#### **Panel Blocks Gerrymandered NC Map, Demands Redo**

A federal congressional map has been blocked due to partisan gerrymandering for the first time in U.S. history, as a panel of federal judges on Tuesday ordered North Carolina's Republican-controlled General Assembly to redraw district lines before this year's midterm elections because its current plan is unconstitutional. [Read more »](#)

#### **Senate Fills 1st Tenn. Judicial Post, Advances 2nd Nominee**

The Senate voted to approve President Donald Trump's first federal judge of the new year, confirming Frost Brown Todd LLC member William Campbell Jr. to an empty judge post in Tennessee on Tuesday, as well as advancing a nominee to fill a second vacancy in the state. [Read more »](#)

#### **Ex-USPTO Director Lee Says She Did Not Stack PTAB Panels**

Former U.S. Patent and Trademark Office Director Michelle Lee told Law360 in a recent interview she did not stack panels of Patent Trial and Appeal Board judges to achieve a particular outcome, addressing an issue that has been a source of criticism for the board and drawn concerns from some U.S. Supreme Court justices. [Read more »](#)

#### **Kamala Harris, Cory Booker Get Seats On Judiciary Panel**

Sens. Kamala Harris, D-Calif., and Cory Booker, D-N.J., on Tuesday were set to have seats on the U.S. Senate Judiciary Committee following a shake-up after the resignation of Sen. Al Franken, D-Minn., and election of Sen. Doug Jones, D-Ala. [Read more »](#)

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Hamrick & Evans  
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Hogan Lovells  
Jaffe & Asher  
Kaufman & Company LLC  
Kilpatrick Townsend

CLV000188

## BANKING & SECURITIES

### Sens. Look Open To Shifting Anti-Money Laundering Rules

Senators from both parties on Tuesday appeared to back making changes to anti-money laundering requirements that would ease the amount of time and money that banks spend on targeting suspicious transactions, while at the same time modernizing the system for halting illicit funds. [Read more »](#)

### FINRA To Eye ICOs, Cryptocurrencies In 2018

The Financial Industry Regulatory Authority plans to increase its focus on how broker-dealers handle initial coin offerings and cryptocurrency transactions, a booming niche that is attracting more regulatory attention, according to the organization's annual examination letter Monday. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### DOI Says It Will Remove Fla. Coast From Drilling Plan

The U.S. Department of the Interior announced Tuesday that it would remove Florida's coast from the locations it plans to allow for future oil drilling, following opposition from Republican Gov. Rick Scott and environmental groups. [Read more »](#)

### Christie Beats Suit Over Lead Poisoning In Newark Schools

A New Jersey federal judge on Monday tossed a putative class action alleging that New Jersey Gov. Chris Christie and related parties exposed Newark school children to lead-contaminated water and tried to cover up the health hazard, saying students' parents have failed to back up their claims. [Read more »](#)

### Exxon Seeks To Depose Calif. Officials Over Climate Suits

Exxon Mobil Corp. on Monday told a Texas state judge that attorneys and California public officials who allege the oil giant is liable for effects that climate change is having on their cities and counties have downplayed those same effects to bondholders. [Read more »](#)

### Senate Dems Lament Renomination Of Trump Enviro Pick

President Donald Trump's decision to renominate his controversial pick to lead the White House's Council on Environmental Quality has been met with criticism, with the head Democrat on the U.S. Senate Committee on the Environment and Public Works calling the resubmission "shortsighted." [Read more »](#)

## HEALTH & LIFE SCIENCES

### Fla. Judge Finds 24-Hour Abortion Delay Law Unconstitutional

A Florida law requiring women to wait 24 hours after an initial doctor's visit before obtaining an abortion is unconstitutional, a Tallahassee federal judge ruled Tuesday, permanently blocking enforcement of the statute. [Read more »](#)

### HHS Nominee Eyes New Tacks On Drug Prices, Provider Pay

The Trump administration's nominee to lead the U.S. Department of Health and Human Services opened the door Tuesday to new approaches for easing drug prices and basing Medicare reimbursement on the performance of health care providers. [Read more »](#)

### CMS Medicaid Change Without Public Input Vexes 1st Circ.

Three First Circuit judges on Monday challenged a government attorney as they dug into a claim that the Centers for Medicare and Medicaid Services bypassed public participation and slid a substantive change in how Medicaid reimbursements are calculated into a statement online. [Read more »](#)

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LegalForce RAPC Worldwide  
Lewis Brisbois  
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McGuireWoods  
Morrison & Foerster  
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Nixon Peabody  
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Proskauer Rose  
Quinn Emanuel  
Reed Smith  
Riley Warnock  
Salon Marrow  
Sanford Heisler  
Steptoe & Johnson LLP  
Wiley Rein  
Wilson Sonsini  
Womble Bond Dickinson

## COMPANIES

AT&T Inc.  
Allergan PLC  
American Civil Liberties Union  
American Enterprise Institute  
American Gaming Association  
American Immigration Council  
Apple Inc.  
Assurant Inc.  
Chevron Corporation  
Citigroup Inc.  
Clearing House Payments Co. LLC  
Competitive Enterprise Institute  
Computer & Communications Industry Association  
Covidien PLC  
Democratic National Committee  
ESPN Inc.  
Electronic Frontier Foundation  
Eli Lilly and Company  
Environmental Law Institute  
Exxon Mobil Corporation  
Facebook

## CMS Told To Speed Up Collection Of State Medicaid Data

The Centers for Medicare & Medicaid Services needs to do more work to speed up the collection of state-reported Medicaid data and develop a specific plan to use that information to oversee the federal program, the nonpartisan U.S. Government Accountability Office said in a report released Monday. [Read more »](#)

## Mass. US Atty Won't Rule Out Pot Prosecutions Post-Reversal

The newly appointed U.S. attorney for Massachusetts, where residents have voted to legalize marijuana for recreational use, declined on Monday to promise that he would not prosecute members of the marijuana industry in the wake of Attorney General Jeff Sessions' rollback of an Obama-era policy limiting the enforcement of federal marijuana laws. [Read more »](#)

## MEDIA & ENTERTAINMENT

### Penn National Sues Pa. Over Gambling Expansion Law

A Pennsylvania casino on Tuesday filed a federal lawsuit challenging the state's 2017 gambling expansion legislation that authorized 10 new casinos, saying new competition would cannibalize its revenues and cause roughly \$34 million in yearly revenue losses. [Read more »](#)

### Ind. Lawmaker Introduces Sports Gambling Bill

An Indiana state representative on Monday introduced a bill that would legalize sports betting if the federal ban is lifted when the U.S. Supreme Court rules in New Jersey's challenge to federal law. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### Old Standards Holding Back Auto Safety Advancement

Federal regulators' failure to routinely update motor vehicle standards to keep up with technological advancements and industry best practices hampers the deployment of safer driving technology, including automated or self-driving cars, according to a report released Tuesday. [Read more »](#)

## PRIVACY & CYBERSECURITY

### Analysis

### FISA Renewal Hinges On Warrants To Snoop On Americans

The debate in Washington over renewing a federal spy program that allows warrantless surveillance of foreign investigation targets has boiled down to a single question, experts say: whether authorities need a warrant to search for American citizens' data swept up in the program. [Read more »](#)

### Supreme Court Questions Police Power To Search Vehicles

The U.S. Supreme Court grilled government lawyers Tuesday over the ability of police to inspect motor vehicles in two criminal cases raising novel questions under the Fourth Amendment, which protects against unreasonable searches and seizures. [Read more »](#)

## GOVERNMENT CONTRACTS

### County, Las Vegas Airport Dodge Landowner's FCA Suit

A Nevada federal judge on Monday tossed a False Claims Act suit alleging Clark County and McCarran International Airport illegally obtained hundreds of millions of dollars in airport improvement grants, saying the whistleblower's claims were time-barred or weren't specific enough to allege fraud. [Read more »](#)

Financial Industry Regulatory Authority Inc.

General Electric Company

Google Inc.

Horizon Blue Cross Blue Shield of New Jersey

LegalZoom.com Inc.

Major League Baseball Inc.

Make the Road New York

Microsoft Corporation

Mylan NV

NFL Enterprises LLC

National Basketball Association

National Hockey League

National Immigration Law Center

Netflix Inc.

New York Times Co.

New York University

Oil States International Inc.

Penn National Gaming Inc.

Public Knowledge

SAS Institute

Sands Casino Resort Bethlehem

Sentinel Management Group Inc.

Sinclair Broadcast Group, Inc.

The Renco Group

Tribune Media Co.

Twitter Inc.

U.S. Bancorp

Volkswagen

XL Catlin

## GOVERNMENT AGENCIES

Bay Mills Indian Community

Bureau of Citizenship and Immigration Services

California Department of Transportation

Centers for Medicare & Medicaid Services

Central Intelligence Agency

Committee on Foreign Investment in the United States

Congressional Research Service

Council on Environmental Quality

Department of Commerce

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications Commission

Financial Crimes Enforcement Network



## AEROSPACE & DEFENSE

### Beirut Victims' Kin Tell 2nd Circ. Not To Review Ruling

Families of the victims of the 1983 Beirut Marine Corps barracks bombing urged the Second Circuit on Monday not to reconsider its decision to revive an avenue for them to potentially seize \$1.68 billion linked to Iran's central bank, saying an appellate panel got it right last year when it ordered a lower court to take another look at whether they could access the funds. [Read more »](#)

## INTERNATIONAL TRADE

### CFIUS Needs More Support, Not Overhaul, House Panel Told

The Committee on Foreign Investment in the United States needs modernized processes and additional resources to combat rivals like China, but proposed legislation that would expand CFIUS' jurisdiction may overburden the interagency committee, a panel of experts told the House Financial Services Committee on Tuesday. [Read more »](#)

#### Analysis

### Scope Of US-Korea Trade Deal Overhaul Still Taking Shape

The Trump administration's decision to reopen the U.S.-South Korea trade agreement has big implications for the two countries' economic partnership, but experts tracking the process still have substantial questions about how aggressive the two sides will be in reshaping the 2012 accord. [Read more »](#)

### Report On Rural America Calls For Removing Trade Barriers

The Interagency Task Force on Agriculture and Rural Prosperity presented a report to President Donald Trump on Monday that includes more than 100 recommendations to improve life in rural America, including creating a strategy to remove unjustified trade barriers and increasing access to the global market. [Read more »](#)

## TAX

#### Analysis

### Millionaires' Tax Debate Continuing In Cities, States

With the newly signed federal tax reform law, H.R. 1, widely characterized as disproportionately benefiting the wealthy, the debate over so-called millionaires' taxes is advancing in several state and city jurisdictions, a move that could theoretically take back some of the potential windfall for the affluent. [Read more »](#)

### Dems Ask If Administration's Pressuring IRS On Tax Tables

Senate Finance Committee ranking member Ron Wyden, D-Ore., and House Ways and Means ranking member Richard Neal, D-Mass., in a Monday letter questioned whether the Trump administration was wrongfully pressuring the IRS to produce 2018 withholding tables that would result in a systematic underwithholding of federal taxes from taxpayer earnings. [Read more »](#)

### Ryan Says Tax Act Spurs Cos. To Stay In US, Boost 401(k)s

Assurant Inc. announced Tuesday that it plans to remain a Delaware corporation, and Aflac recently said it would boost its employee 401(k) matching, decisions that Republican House Speaker Paul Ryan linked to the federal tax overhaul. [Read more »](#)

## IMMIGRATION

#### Analysis

### What Attorneys Can Do For Salvadorans Losing TPS

Fish and Wildlife Service  
Government Accountability Office  
Hartsfield-Jackson Atlanta International Airport  
Internal Revenue Service  
Judicial Conference of the United States  
Kiowa Tribe of Oklahoma  
Little River Band of Ottawa Indians  
McCarran International Airport  
NAFTA  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Security Agency  
National Security Council  
New Jersey Attorney General's Office  
North Carolina Department of Justice  
Office of Foreign Assets Control  
Office of the Comptroller of the Currency  
Oglala Sioux Tribe  
Securities and Exchange Commission  
St. Regis Mohawk Tribe  
Substance Abuse and Mental Health Services Administration  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of State  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. House of Representatives  
U.S. Navy  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court  
World Trade Organization



About 200,000 Salvadorans will lose their temporary protected status in the United States next year, and many attorneys are now scrambling to offer these immigrants a legal means to remain in the U.S. Here, experts share the options these immigrants should weigh. [Read more »](#)

### **Feds Deny Considering Forcing Out Some H-1B Visa Holders**

The Trump administration pushed back Tuesday against reports that it caved to pressure from the business community and is no longer considering certain new restrictions for the H-1B program that would have forced some visa holders to leave the U.S. [Read more »](#)

### **'Difficult' DACA Cases Head To 2nd Circ.**

A New York federal judge on Monday granted the Trump administration's bid to immediately appeal a November order allowing key procedural and racial-animus allegations to continue in two cases challenging the impending termination of the Deferred Action for Childhood Arrivals program, sending the "difficult" cases to the Second Circuit. [Read more »](#)

### **Pardoned Ex-Sheriff Arpaio Says He's Running For Senate**

Former Maricopa County, Arizona, Sheriff Joe Arpaio announced Tuesday that he's running for Senate despite his continued battle in the Ninth Circuit to wipe from his record a criminal contempt conviction over racial profiling following President Donald Trump's pardon of the matter. [Read more »](#)

## **TELECOMMUNICATIONS**

### **Commissioner Carr Nominated To Full FCC Term**

FCC Commissioner Brendan Carr has been nominated by President Donald Trump to serve a full five-year term at the agency, the White House said Tuesday. [Read more »](#)

### **Collins Becomes 1st GOP Sen. To Back Net Neutrality Effort**

The effort to overturn the Federal Communications Commission's net neutrality order gained further steam Tuesday as Sen. Susan Collins, R-Maine, backed the effort, putting the push one GOP vote from victory. [Read more »](#)

## **WHITE COLLAR**

### **Feinstein Puts Out Fusion GPS Founder's Russia Interview**

Sen. Dianne Feinstein on Tuesday publicly released the transcript of a closed-door interview Fusion GPA founder Glenn Simpson in which he described his firm's research suggesting the Russian government had interfered in the U.S. presidential election. [Read more »](#)

## **PEOPLE**

### **Ex-DOJ Enviro Head John Cruden Joins Beveridge & Diamond**

The former chief of the U.S. Department of Justice's environment division, John Cruden, has joined Beveridge & Diamond PC as a principal, the firm said Wednesday. [Read more »](#)

### **King & Spalding Adds Former Prosecutor To Chicago Office**

King & Spalding added another member of the Illinois Northern District U.S. Attorney's Office to the roster in its newest Chicago office Monday, with a former prosecutor joining its special matters and government investigations practice, the firm announced. [Read more »](#)

### **NJ Gov.-Elect Names Ex-Paul Weiss Atty, Others To Top Posts**

Democratic New Jersey Gov. Elect Phil Murphy on Tuesday unveiled his incoming

administration's senior leadership team, including a former Paul Weiss Rifkind Wharton & Garrison LLP associate and a current general counsel for the state's Assembly, with a mission to "change the culture in Trenton." [Read more »](#)

## EXPERT ANALYSIS

### The Uncertain Fate Of Migratory Birds

It remains to be seen if the recent reversal of the U.S. Department of the Interior's long-standing position regarding the Migratory Bird Treaty Act will withstand challenges. The launch of this decision — just before Christmas and without a solicitor — highlights some potential pitfalls, says Hilary Tompkins, a partner at Hogan Lovells and former solicitor of the DOI. [Read more »](#)

### Amici Views On Big Pharma 'Renting' Sovereign Immunity

The Patent Trial and Appeal Board recently requested briefing from amici for the first time — in *Mylan v. Saint Regis Mohawk Tribe*. In general, technology and pharmaceutical companies argued that the deal assigning Allergan patents to the tribe was a sham, while other tribes and a group of law professors supported the sovereign immunity defense, says Ben Bourke of Womble Bond Dickinson LLP. [Read more »](#)

### What Tax Reform Means For The Energy Sector: Part 2

Companies in the energy sector will be affected by many provisions in the new tax law, including changes to base erosion taxation, the corporate alternative minimum tax, net operating losses, contributions in aid of construction, partnership and other pass-through income and Section 199 domestic production activities, say attorneys with Eversheds Sutherland LLP. [Read more »](#)

### Inside New Regs On Sharing Substance Use Disorder Info

A rule recently issued by the Substance Abuse and Mental Health Services Administration demonstrates the agency's attempt to find a balance between making substance use disorder information available to those who need it for legitimate purposes while safeguarding it from improper uses and disclosures, says Patricia Markus of Nelson Mullins Riley & Scarborough LLP. [Read more »](#)

### New Magnitsky Sanctions Expand Enforcement Authority

New sanctions under the 2016 Global Magnitsky Human Rights Accountability Act not only provide the U.S. government with a new instrument to take action in response to conduct that might violate the Foreign Corrupt Practices Act or the U.S. anti-money laundering laws, but also expand the scope of U.S. extraterritorial enforcement, say partners with Dentons. [Read more »](#)

#### Series

### My Supreme Court Debut: An Impassioned Plea

As I rose to the lectern for my first argument at the U.S. Supreme Court, I realized that the court had to that point heard over 90 minutes of oral argument about California's "three strikes" law, but no one — not any of the lawyers, not any of the justices — had expressed outrage that a man could spend life in prison for shoplifting, says Erwin Chemerinsky, dean of UC Berkeley Law School. [Read more »](#)

## LEGAL INDUSTRY

#### Analysis

### 7 Habits Of Successful Litigators & How They Apply To You

Being a litigator requires organization, discipline and efficiency, and even the most revered litigators admit there are challenges to staying organized and progressing on projects. Here, Law360 looks at seven daily habits litigators have adopted to help them manage busy schedules and stay on task to attain success. [Read more »](#)

### Big Data Drives Innovation And New Risks For GCs

While data provides the foundation for such advancements as artificial intelligence chatbots and autonomous vehicles, it also carries new and unintended legal implications, according to a report released Tuesday by Crowell & Moring LLP. [Read more »](#)

### **Renco Sues Ex-Kaye Scholer Attys Over \$214M Verdict**

The Renco Group sued its former attorneys from Kaye Scholer in New York state court Monday, blaming the counsel for an “inconsistent” jury verdict that cost the company and its billionaire owner Ira Rennert \$214 million in damages over fraudulent transfers. [Read more »](#)

### **Judge Wood Talks To Law360 About Rooting Out Harassment**

Law clerks who worked for Ninth Circuit Judge Alex Kozinski believed court rules barred them from speaking out about his alleged harassment — a misunderstanding that Seventh Circuit Chief Judge Diane Wood hopes she can prevent through a new committee on sexual harassment, she told Law360 in an interview Tuesday. [Read more »](#)

### **IP Firm Stakes Survival On War Against Non-Atty TM Services**

A California attorney has lodged his eighth complaint in just three weeks over online trademark registration services, telling Law360 on Tuesday that his litigation war over such companies’ use of non-lawyers for legal work is a “matter of survival” for his firm. [Read more »](#)

### **LA Developer Can Redo Lewis Brisbois Office Fire Claims**

A California judge on Tuesday gave a Los Angeles developer another shot at his counterclaims that the state’s failure to fix a broken fence gave an arsonist the means to start a fire that caused \$80 million of damage, including at Lewis Brisbois Bisgaard & Smith LLP’s former high-rise outpost. [Read more »](#)

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Internal Revenue Service

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Securities and Exchange Commission  
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U.S. House of Representatives  
U.S. Patent and Trademark Office  
Bay Mills Indian Community  
California Department of Transportation  
Centers for Medicare & Medicaid Services  
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Hartsfield-Jackson Atlanta International Airport  
Judicial Conference of the United States  
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North Carolina Department of Justice  
Office of the Comptroller of the Currency  
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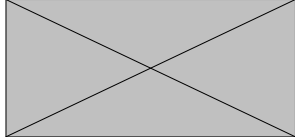
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 5/10/2019 8:13:10 AM  
**Subject:** Trump To Nominate Acting DOD Chief For Permanent Role

## EXTERNAL EMAIL



PUBLIC POLICY.

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Friday, May 10, 2019

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## TOP NEWS

### Trump To Nominate Acting DOD Chief For Permanent Role

President Donald Trump will nominate acting Defense Secretary Patrick Shanahan to lead the Pentagon on a permanent basis, the White House announced Thursday, weeks after Shanahan was cleared of alleged ethical violations related to former employer Boeing.

[Read full article »](#)

### Trump To Challenge Nationwide Injunctions At Supreme Court

The Trump administration will soon challenge the legality of nationwide injunctions before the U.S. Supreme Court, Vice President Mike Pence has said, criticizing individual federal district judges for standing in the way of many of the president's controversial policies.

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### Top Trump Spectrum Policy Adviser Steps Down

A Trump administration official who oversaw spectrum policy as head of the National Telecommunications and Information Administration resigned Thursday, according to the chair of the Federal Communications Commission.

[Read full article »](#)

### Senate Confirms 2nd Circ. Judge Over Dem Objections

The Senate confirmed Consovoy McCarthy Park PLLC partner Michael H. Park to the Second Circuit along partisan lines Thursday, adding a contentious pick by President Donald Trump to the appeals court and its second new conservative jurist in as many days.

[Read full article »](#)

### Maui Tells High Court To Reverse CWA Ruling Amid Deal Talks

Maui County, Hawaii, told the U.S. Supreme Court on Thursday that the federal government doesn't have authority under the Clean Water Act to regulate pollution sources that discharge contaminants into groundwater, and urged the justices to overturn a Ninth Circuit decision that held otherwise.

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Senate Panel Moves Kirkland Vet Toward Deputy AG Post

The Senate Judiciary Committee voted along party lines Thursday to push along the nomination of Jeffrey Rosen for deputy attorney general, over protests from Democrats that Rosen doesn't have the experience to be second in command at the Department of Justice.

[Read full article »](#)

BANKING & SECURITIES

SEC's Peirce Concerned Over Lack Of Crypto Guidance

The U.S. Securities and Exchange Commission's lack of "meaningful action" is stifling the cryptocurrency industry, SEC Commissioner Hester Peirce said Thursday in a speech in which she both lauded the agency for certain steps it has taken and criticized it for not providing more concrete guidance.

[Read full article »](#)

SEC 'Not Anxious' To Approve Reg A+ Token Offerings

The U.S. Securities and Exchange Commission is reluctant to approve digital token offerings sought under a registration exemption known as "Reg A+" — an avenue being pursued by many startups — for fear investors could get burned, a securities lawyer said at a panel Thursday.

[Read full article »](#)

SEC Mulls New Parameters For Accelerated Filers

The U.S. Securities and Exchange Commission took a step forward Thursday in refining the definitions of "accelerated filer" and "large accelerated filer" as the commission looks to reduce costs and reporting requirements for the public companies.

[Read full article »](#)

9th Circ.'s CFPB Ruling 'Adds Nothing New,' 5th Circ. Hears

A Mississippi check cashing and payday loan company pressed its challenge to the constitutionality of the Consumer Financial Protection Bureau before the Fifth Circuit, saying a recent Ninth Circuit ruling upholding the agency's structure "adds nothing new" on the subject.

[Read full article »](#)

ENERGY & ENVIRONMENTAL

Analysis

DC Circ. Fails To Clear The Air On FERC's Climate Duties

The D.C. Circuit punted on whether the Federal Energy Regulatory Commission can legally scale back its climate change reviews of gas infrastructure projects, leaving an uneasy regulatory status quo as FERC commissioners remain stubbornly split over how climate impacts must factor into project approvals.

[Read full article »](#)

Fla. DEP Won't Fight Decision To Allow Everglades Oil Well

The city of Miramar, Florida, and Broward County dropped their appeal late Wednesday of a decision allowing an exploratory oil well in the Everglades after the state Department of Environmental Protection did not join their case in the Florida Supreme Court.

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Bristol-Myers Squibb Co.  
Burlington Stores Inc.  
Chevron Corp.  
China Mobile Ltd.  
China Telecom Corp. Ltd.  
China Unicom (Hong Kong) Ltd.  
Cipla Ltd.  
Continental Stock Transfer & Trust Co.  
Dominion Energy Inc.  
Endo International PLC  
FedEx Corp.  
Federalist Society

## Analysis

### Missing Rules Tee Up Litigation Debacle In NJ Pollution Blitz

New Jersey's renewed push to put polluting companies on the hook for replenishing natural resources following on-site contamination comes without formal rules on how to do so, setting the stage for expensive, protracted courtroom battles over how exactly to assess such damages, environmental attorneys and experts said.

[Read full article »](#)

### Group Wants Pause During Lake Erie Law Intervention Appeal

The citizen group behind a Toledo, Ohio, law establishing an expansive "bill of rights" for Lake Erie urged a federal judge Wednesday to pause litigation challenging the measure while it appeals the denial of its intervention request, saying the Sixth Circuit will likely take its side.

[Read full article »](#)

### HMRC Updates Email For Comments On Plastic Packaging Tax

HM Revenue & Customs will solicit comments until May 12 on a proposed tax on plastic packaging made with limited recycled material, according to a consultation updated Thursday to include a new email address for responses.

[Read full article »](#)

## HEALTH & LIFE SCIENCES

### Trump Backs Bipartisan Attack On Surprise Medical Bills

President Donald Trump on Thursday threw his weight behind bipartisan efforts to protect patients from sticker shock at hospitals, labs and physician offices, upping the odds that Congress this year will tackle surprise medical billing.

[Read full article »](#)

### ACA Insurers Deserve Zilch, Not \$12B, DOJ Tells High Court

Affordable Care Act insurers aren't entitled to \$12 billion in federal money to offset losses because Congress "specifically and unequivocally" barred funding for that purpose, the U.S. Department of Justice has told the U.S. Supreme Court.

[Read full article »](#)

### House OKs Bill Barring State Experimental Health Care Plans

The U.S. House of Representatives on Thursday passed a bill that would ban rules by the Trump administration that let states make changes to their health care programs through the use of Affordable Care Act waivers.

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### Bipartisan Bill Aims To Deem Pharma Tactics Anti-Competitive

Two techniques that lawmakers say brand-name pharmaceutical companies use to keep out generics companies could become enshrined in federal law as anti-competitive business practices if Sens. Richard Blumenthal and John Cornyn succeed at passing their new bill, announced Thursday.

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## IP & TECHNOLOGY

### Iancu Tells Congress One Drug Can Deserve Many Patents

U.S. Patent and Trademark Office Director Andrei Iancu on Thursday defended the office's practice of sometimes issuing numerous patents on the same drug, telling the

Ferrari SpA

Financial Industry Regulatory Authority Inc.

Freeh Group International Solutions LLC

GlaxoSmithKline

Hess Corp.

HomeAway Inc.

Instagram Inc.

International Centre for Settlement of Investment Disputes

Land of Lincoln Mutual Health Insurance Co.

Litigation Insights Inc.

Lockheed Martin Corp.

Martha Stewart Living Omnimedia, Inc.

Mattress Firm Holding Corp.

Michael Kors Holdings Ltd.

Millennium Health LLC

NASDAQ OMX Group Inc.

Natural Resources Defense Council

Novartis AG

PHH Corporation

Planned Parenthood Federation

Posillico Civil Inc

Public Knowledge

Sierra Club

State Farm

Sterling Construction Company Inc

Teva Pharmaceutical Industries Ltd.

The Boeing Co.

The Wireless Internet Service Providers Association

TransPerfect Global Inc.

Yves Saint Laurent SAS

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Bureau of Citizenship and Immigration Services

Commodity Futures Trading Commission

Consumer Financial Protection Bureau

Delaware Court of Chancery

Department of Commerce

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

House Judiciary Committee that the USPTO ensures that all issued patents are new and innovative.

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## EMPLOYMENT

### Courts Toss Too Many Pregnancy Claims, Workers' Org Says

Pregnant workers claiming they were unfairly denied adjustments to help them do their jobs have struggled in court despite a 2015 U.S. Supreme Court decision directing employers to more readily accommodate pregnancies, according to research released Thursday by a workers' advocacy group.

[Read full article »](#)

## COMPETITION

### FTC Leaves La. Appraisers Board Defense Intact For Now

The Louisiana Real Estate Appraisers Board will be able to argue that it made a good faith attempt to comply with federal law when a Federal Trade Commission challenge to its fee-setting rules goes to trial before an administrative law judge in September, according to a commission order made public Wednesday.

[Read full article »](#)

## AEROSPACE & DEFENSE

### DOD Awards \$5B In Border Wall Construction Deals

The U.S. Department of Defense has awarded a dozen slots on a \$5 billion contract to build wall sections along the southwestern border, part of the DOD's contentious effort to support the U.S. Department of Homeland Security at the border.

[Read full article »](#)

## INTERNATIONAL TRADE

### Analysis

#### OFAC Signals Enforcement Turn With Plan To Fine Execs

The U.S. Treasury's Office of Foreign Assets Control is hinting at plans to bring its civil enforcement hammer down on executives who violate U.S. sanctions, reversing a decadelong trend away from fining individuals and putting the agency in line with other federal regulators.

[Read full article »](#)

## TAX

### Interview

#### Power To Hire Attys Among Taxpayer Advocate's Final Goals

National Taxpayer Advocate Nina Olson is seeking to gain the authority to hire attorneys for her office before she retires to ensure her work continues after her tenure ends this summer, Olson told Law360 in a recent interview.

[Read full article »](#)

### IRS Needs More Money To Close Tax Gap, Fed. Officials Say

Investing more money in tax administration would result in more efficient tax collection,

[Federal Energy Regulatory Commission](#)

[Federal Housing Finance Agency](#)

[Federal Reserve System](#)

[Federal Trade Commission](#)

[Florida Public Service Commission](#)

[Florida State Senate](#)

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which could help close the so-called tax gap of revenue lost to noncompliance, federal officials told a congressional panel Thursday.

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### **Covington Partner Pledges Fairness If Approved For Tax Court**

A Covington & Burling LLP partner told the Senate Finance Committee Thursday he would be flexible with those who came before him so long as the tax code permitted it, if his nomination to the U.S. Tax Court were confirmed.

[Read full article »](#)

### **Congress Won't Alter SALT Cap Before '20, Tax Lobbyist Says**

There is no chance Congress will act to change the \$10,000 federal limit on deductions for state and local taxes enacted as part of the 2017 tax overhaul before the 2020 elections, a tax lobbyist said Thursday.

[Read full article »](#)

### **Proposed \$213.5B Calif. Budget Reflects Huge Tax Windfall**

The California state budget would reflect both the largest tax windfall and the largest budget surplus in the history of the state, according to the revised version that was released Thursday.

[Read full article »](#)

## **IMMIGRATION**

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### **Judge Rips USCIS On Controversial Guest Worker Policies**

A D.C. federal judge suggested that the U.S. Citizen and Immigration Services only retooled the H-1B guest worker program so it could deny more visa applications, lodging a sharp rebuke of the new program standards in a hearing Thursday.

[Read full article »](#)

### **Trump Admin. Fights House Injunction Bid On Wall Spending**

The Trump administration said that federal courts can't stop it from spending more money on a southern border wall than what Congress appropriated.

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### **Migrant Apprehensions Continued To Rise In April**

The number of migrants apprehended and turned away at the southern border climbed higher still in April to about 109,000, reaching levels that U.S. Customs and Border Protection has not seen in over a decade, according to data the agency released Wednesday.

[Read full article »](#)

### **TransPerfect Aided Clifford Chance's Biased Hiring, DOJ Says**

The U.S. Department of Justice has accused TransPerfect of discriminating against dual citizens and non-U.S. citizens when helping Clifford Chance staff up a project in 2017.

[Read full article »](#)

### **Report Shows High-Skilled Mexican Immigrants On The Rise**

The number of high-skilled immigrants from Mexico with college degrees is on the rise nationally, catching up to those from India, China and the Philippines, according to a report published Thursday by the Migration Policy Institute.

[Read full article »](#)

## TELECOMMUNICATIONS

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### FCC Votes To Block China Mobile From US Networks

Citing national security concerns, the Federal Communications Commission voted unanimously Thursday to block a Chinese telecommunications company's request to expand its operations into the U.S.

[Read full article »](#)

### FCC Advances Share Plan For Weather Satellites, Broadband

The Federal Communications Commission opened a rulemaking Thursday aimed at allowing commercial wireless users to share spectrum seen as valuable for 5G alongside federal weather-monitoring applications.

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## EXPERT ANALYSIS

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### Opinion

#### NAFTA Update A Step Backward For US Investors

Under the U.S.-Mexico-Canada Agreement, U.S. investors would lose the robust international law protections and dispute resolution mechanisms that they have relied on for years in the North American Free Trade Agreement, say Ian Laird and Melissa Morris of Crowell & Moring.

[Read full article »](#)

### Fla. Assignment Of Benefits Law Is Good News For Insurers

Last month, the Florida Senate passed legislation that will reform the litigious practice of assignment of benefits in first-party property insurance claims. Significantly, the bill's restriction of attorney fees will likely encourage assignees to make more reasonable presuit demands, says Mac Griffin of Holland & Knight.

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### 5 Key Points From Fed's Bank Control Proposal

The Federal Reserve's proposal to revise its board of governors' historically ad hoc approach to determining when a company has a controlling influence over a bank will likely bring increased transparency, predictability and simplicity to the process, say attorneys at Troutman Sanders.

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### Opinion

#### The Law Will Not Help Airbnb Evade Rental Ordinances

In denying Airbnb's legal challenge to a short-term rental ordinance set by Santa Monica, California, the Ninth Circuit has exposed gaping holes in Airbnb's attempts to overturn such regulations by manipulating federal law, says Andrew Zacks of Zacks Freedman.

[Read full article »](#)

## LEGAL INDUSTRY

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### Titan Of The Plaintiffs Bar: Hausfeld's Brent Landau

A volcanic eruption in Iceland set off one of Brent Landau's most memorable travel headaches over the course of his successful career as a plaintiffs attorney. The global

managing partner for Hausfeld LLP is no stranger to travel hiccups, as his role requires regular jet-setting, but he said this one was singular.

[Read full article »](#)

#### Analysis

### SoHo Grifter Shows How Style Goes On Trial

The right to wear street clothes to a criminal trial is enshrined by a 1976 U.S. Supreme Court decision, but the fashionably accused — from “SoHo Grifter” Anna Sorokin to the “Varsity Blues” celebrity defendants — raise questions about how attire can be a tactical advantage in the courtroom.

[Read full article »](#)

### Workplace Legal Problems? There's A Law Firm App For That

Employment firm Littler Mendelson PC publicly debuted a new technology tool on Thursday designed to give clients quick and efficient counsel on workplace labor-related legal issues.

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### Ex-FBI Director Freeh, Glaser Weil To Join Forces

Former FBI Director Louis J. Freeh and his legal and consulting firms are teaming with Glaser Weil LLP to form a “strategic alliance” focused on providing risk management, investigations and comprehensive representation services for clients in a variety of industries.

[Read full article »](#)

### ABA To Prosecutors: Plea Deal Ethics Cover Small Crimes Too

The American Bar Association on Thursday issued a new ethics opinion that clarified that the organization's model rules for prosecutors when negotiating plea bargains should also apply during misdemeanor cases, just as they do for more serious offenses.

[Read full article »](#)

### Law360's Weekly Verdict: Legal Lions & Lambs

Boston-based Greene LLP earned the title of legal lion this week after the First Circuit flipped a \$34 million False Claims Act award from another whistleblower to the firm's client, while Dechert LLP was among the legal lambs after a federal jury hit client GSK with a \$90 million patent verdict.

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Hausfeld  
Holland & Knight  
Hughes Hubbard  
Hunton Andrews Kurth  
Kasowitz Benson  
Kobre & Kim  
Kruzhkov Russo  
Lieberman & Blecher  
Littler Mendelson  
Lowenstein Sandler  
Massey & Gail  
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Morgan Lewis  
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Morrison & Foerster  
Norton Rose Fulbright  
Ogletree Deakins  
Orrick Herrington  
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Quinn Emanuel  
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Skadden  
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China Telecom Corp. Ltd.  
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Freeh Group International Solutions LLC  
GlaxoSmithKline  
Hess Corp.  
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Instagram Inc.  
International Centre for Settlement of Investment Disputes  
Land of Lincoln Mutual Health Insurance Co.  
Litigation Insights Inc.  
Lockheed Martin Corp.  
Martha Stewart Living Omnimedia, Inc.  
Mattress Firm Holding Corp.  
Michael Kors Holdings Ltd.  
Millennium Health LLC  
NASDAQ OMX Group Inc.  
Natural Resources Defense Council  
Novartis AG  
PHH Corporation  
Planned Parenthood Federation  
Posillico Civil Inc  
Public Knowledge  
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Sterling Construction Company Inc  
Teva Pharmaceutical Industries Ltd.  
The Boeing Co.  
The Wireless Internet Service Providers Association  
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Federal Communications Commission  
Federal Trade Commission  
Internal Revenue Service  
Securities and Exchange Commission  
U.S. Department of Defense  
U.S. House of Representatives  
Federal Energy Regulatory Commission  
Florida Supreme Court  
NAFTA  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Commodity Futures Trading Commission  
Delaware Court of Chancery  
Department of Commerce  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Housing Finance Agency  
Federal Reserve System  
Florida Public Service Commission  
Florida State Senate  
HM Revenue & Customs  
National Oceanic and Atmospheric Administration  
National Telecommunications and Information Administration  
Office of Foreign Assets Control  
U.S. Customs and Border Protection  
U.S. Department of Defense Office of Inspector General  
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Jon Ralston  
**Sent:** Mon 8/27/2018 4:16:58 PM  
**Subject:** Ralston Reports -- Morning Flash, 8/27/18

8.27.2018

This dispatch prepared for .

DAYS UNTIL EARLY VOTING  
BEGINS FOR THE 2018  
GENERAL ELECTION: 54

DAYS UNTIL THE 2018  
GENERAL ELECTION: 71

DAYS UNTIL THE 2019  
LEGISLATURE BEGINS: 161

Good morning, everyone. I dodged a hurricane – probably sent by the Three Amigos (Laxalt/Heller/Roberson) -- and have returned. I've caught up on a lot of stuff – some thoughts below – and ready to go full throttle the last two months or so. Yes, that is a threat!

----

What's below: Catching up, voter reg and a trivia question about a rich guy who went broke.

#### COMING UP

[Clubber said it best.](#)

#### CATCHING UP

Some quick thoughts on stuff that happened while I was gone:

----I got one of the best mailers of the season while I was gone, this one from Dean Heller, who after flailing about for months with Joecks of attacks, has one that focuses on a real issue: Jacky Rosen looking for a promotion after only a few months in Congress. It's strong. Meanwhile, Rosen put out what may be [the best ad of the year so far](#). This Senator Spineless attack may resonate. Also in the Senate race, [notice the use of "Vegas congresswoman"](#) in the Reno ad. Very clever. And: [These debates will be lit](#). So glad they are happening. Be interesting to see who is on the panels.

----In the gov's race, [this ad](#) is the most over the top of the season so far. "We'll never know how many violent criminals got away with rape, but we do know who to blame, Mr. Sisolak." My God. Also, Sisolak has a new ad talking about the "New Nevada." That is very clever, Sandovalian almost. And: [Bruce James!](#) Bruce James endorsing a Dem for gov in the most important race. Wow!

----[Neither of these seems right.](#)

#### VOTER REG UPDATE

The Dems have gained nearly 3,000 voters in Clark this month and will have a more than 129,000-voter lead over the GOP in the South by September. So they will easily get over 130,000 by Election Day, perhaps closer to 140,000 if they keep up this pace. Something to keep an eye on, which I will do for you, dear Flashees.

#### TRIVIA QUESTION OF THE DAY

On this day in history., a guy with a familiar name and who has a street named after him died. He made a fortune in Nevada but ended up broke. Who was he?

8/17 winner: UNR's Bob Dickens

CLV000210

The question: This is the birthdate of one of the most influential men in Nevada history whose career ended when he went to prison for an offense that generally draws a fine. Who?

The answer: Harvey Whittemore

**MOVIE TRIVIA QUESTION OF THE WEEK**

Lobbyist Josh Griffin was first. Name the actor and the movies: He gets killed in the end after cheating death once before; he plays part of a trio of fugitives; he plays a mentor who will not give his protege a loan; he played a whistleblower in a huge TV scandal. The answer: John Turturro in "Miller's Crossing," "Oh Brother Where Art Thou," "Rounders" and "Quiz Show."

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This email was sent to [cgoodman@lasvegasnevada.gov](mailto:cgoodman@lasvegasnevada.gov)

[why did I get this?](#) [unsubscribe from this list](#) [update subscription preferences](#)

**To:** act@preactdontreact.com[act@preactdontreact.com]  
**Cc:** Carolyn Levering[clevering@LasVegasNevada.GOV]; Ted Olivas[tolivas@LasVegasNevada.GOV]  
**Bcc:** Cheryl Russo[crusso@LasVegasNevada.GOV]; Lora Kalkman[lkalkman@LasVegasNevada.GOV]; Brian McAnallen[bmcanallen@LasVegasNevada.GOV]  
**From:** Carolyn G. Goodman  
**Sent:** Mon 4/11/2016 9:30:56 PM  
**Subject:** RE: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Mr. Almon, thank you for sharing your concerns about terrorism and its potential impact to the Las Vegas area. I have recently expressed my own concerns directly with Secretary Johnson of the Department of Homeland Security. As a city, we invest in many resources to ensure the safety of the community and the visitors we serve. As you know, we cannot prevent every possible act of violence or terrorism. We work very hard to ensure communication, cooperation and coordination with our local government agencies, the private sector and our state and federal partners to be prepared to achieve our 5 mission areas: prevent, protect, mitigate, respond, recover from terror attack.

I am forwarding your concerns to our Joint Terrorism Task Force and the Southern Nevada Counter Terrorism Center for further investigation. If you have knowledge of *specific planned targets, modes of attack, or dates and times of planned attack*, please file a SAR (Suspicious Activity Report) as soon as possible with our [Counter Terrorism Center](#). This report may be sent anonymously if so desired."



**CAROLYN G. GOODMAN, MAYOR**

Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

*City Hall is closed on Fridays*

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**From:** act@preactdontreact.com [mailto:act@preactdontreact.com]  
**Sent:** Friday, April 08, 2016 3:15 PM  
**To:** Carolyn G. Goodman  
**Subject:** PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

The Honorable Mayor Carolyn Goodman:

I am contacting you concerning the information on terrorism below. Due to 2 incidents in Las Vegas and my familiarity with terrorism, I sent the email below to a Las Vegas commander, and have since contacted other commanders, corporate, and a Las Vegas politician with my concerns. Unfortunately, the response was as inadequate as the response the FBI agents, civilians, and well known individuals experienced when warning top DC officials about 9/11. This is why I and others are so reluctant to contact authorities concerning the issue, and specifically why I hesitated to contact the Las Vegas commander with my original warning (due to what I witnessed in Las Vegas). If it were not for the fact so many EU, Australian, Chinese, and Indian friends/kids that I know visit Las Vegas I would just ignore the situation and let it happen and then say I told you so to the media. (I am also covering myself by having proof that I did warn every authority responsible for public safety in Las Vegas, the US, and abroad.) I assure the situation is far worse than you know, and I would not underestimate it or the ruthlessness of the enemy. They have already picked out their targets and made their decision to carry out their missions no matter what. They will have to be physically stopped by and aggressive and competent campaign led by competent and aggressive law enforcement/intelligence officers.

Due to the seriousness of the situation, my ties to the EU, Australia, and other countries, I have warned Ministers that I have had previous contact with and others this week concerning issuing a travel warning to their citizens. I have not mentioned the city of concern, however as of next week I may have to. I do not want to get involved in the situation at all, I like 3 other top terrorist experts are fed up with the incompetence and politicizing of terrorism that has led to the

CLV000212

disastrous attacks from 9/11, Paris, San Bernardino, and now Brussels. (The experts are former Clinton & Bush terrorism expert Richard Clark, former CIA agent/CNN consultant Bob Baer, and former Bin Laden desk Chief Michael Scheuer.) We have all reached this point due our being completely correct in our forecasts and strategies for addressing terrorist threats, and the individuals and entities that were listened to being dead wrong each and every time. An audit of my record on forecasting terrorist trends and events to be irrefutably accurate, and an audit of the *"experts"* to be irrefutably inaccurate.

The individuals that are sought after to address terrorism in the US by the government and media are not actually experts—are you aware of that? If you are counting on US or local counter terrorism officials to save Las Vegas—I would stock up on body bags, you're going to need them.

Those responsible for anti-terrorism measures in Las Vegas and the US as a whole have no idea what they are up against, nor do they have a clue as to how to negate the threat—hence why ISIS/Al Qaeda continue to beat them to the punch.

#### **EXAMPLES:**

—The only people that did not know that Ms. Prouty a terrorist mole were the Directors of the FBI and CIA (literally) that fought over her and gave her the highest awards the agencies has [https://www.justice.gov/archive/opa/pr/2007/November/07\\_nsd\\_910.html](https://www.justice.gov/archive/opa/pr/2007/November/07_nsd_910.html) <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>. There are a lot more Nada Prouty's in the US committing the same act. Ms. Prouty proves a Middle Easterner cannot be vetted, there are many just like her in the US that have US passports, driver's licenses, and they are in no way who the government thinks they are right down to the names on those documents.

—This terrorist pioneer lived 2 miles down the road from me [http://articles.chicagotribune.com/1985-06-19/news/8502090070\\_1\\_lebanon-david-berry-nabih-berri](http://articles.chicagotribune.com/1985-06-19/news/8502090070_1_lebanon-david-berry-nabih-berri)

I grew up here and know or have met all of the people connected to this issue and I assure you the situation is far worse than is suspected by authorities. I have met and talked to many of the individuals responsible for stopping these terrorists, and trust me—the terrorists are far ahead of the opposition.

[http://www.mlive.com/news/detroit/index.ssf/2014/08/report\\_more\\_residents\\_in\\_dearb.html](http://www.mlive.com/news/detroit/index.ssf/2014/08/report_more_residents_in_dearb.html)

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=plane+terrorism+dearborn+>

#### **LAS VEGAS CONNECTION**

<http://www.wxyz.com/news/local-news/investigations/happys-pizza-headquarters-raided-by-irs-criminal-division-dea> ( Las Vegas has a franchise and a lot more connections to Detroit/Dearborn than you likely are aware of. It is a case of this <https://www.youtube.com/watch?v=JcZHSGyos6g>)

I have talked with the founders of this business several times and this case was strictly about terrorist funding as in this case [http://www.mlive.com/lansing-news/index.ssf/2011/12/report\\_several\\_southeast\\_michi.html](http://www.mlive.com/lansing-news/index.ssf/2011/12/report_several_southeast_michi.html).

In closing, my original warning should have been ran to ground, the fact that it wasn't is proof of just how off and far behind Las Vegas is in addressing Paris and Brussels style attacks (this week every Minister from every foreign country I contacted responded with a phone call or/and email seeking further information because they now *"get it"*.) To be direct, authorities in Las Vegas and the US have their heads in the sands regarding the issue of terrorism and must change their strategy and tactics while they still have a chance to do so. With Las Vegas having the worst inherent terrorist vulnerabilities of any major city, Las Vegas should be much more precise and aggressive in avoiding such an attack


CLV000213

(which is possible). An attack in the manner that I have forecast would dwarf the Paris body count by a minimum of X5, however it will be worse. The intelligence, physical security, and counter measures of Las Vegas are an invitation for an attack, and the terrorist know all of the cities vulnerabilities as well as I do.

No casino pit boss, dealer, etc. could have the record of the anti-terrorism leadership and still be employed in Las Vegas, it is the equivalent to them "*losing*" track of a million dollars every day for a year and the casino owners and Gaming Control Board accepting any explanation he came up with as legitimate. This would never happen. The see something say something just does not work as Brussels, Paris, and San Bernardino prove with the number of people that knew and didn't talk for various reasons. The #1 reason is that people simply have no confidence in authorities taking proper action. Examine my experience with the issue, each time I am putting my life and business life in danger by even contacting authorities in Las Vegas, and not once has anyone so much as responded or asked me how and why I reached the conclusions I have reached. This is a mirror of the warning by James Woods cited below regarding 9/11—it all could have and should have been ended right then and there. The mindset of law enforcement/political leadership on the municipal level must change, at the end of the day the battle and ramifications are like all politics—local.

As you know the odds always catch up, and luck runs out. Vegas' luck is about to run out in the worst of ways. If you would like the scenario I war gamed, I will forward it upon your request.

Thank you and good luck—

Sincerely,  
Jerome Almon  


**EMAIL TO LV COMMANDER**

----- Original Message -----

Subject: INFORMATION ON SAFETY ISSUES—LAS VEGAS

From: <[info@thecountermedia.com](mailto:info@thecountermedia.com)>

Date: Sat, May 17, 2014 1:02 pm

To: [ted@tedmoody.com](mailto:ted@tedmoody.com)

Sheriff Moody:

Thank you for you response and time regarding the issues below:

**1)THE TERRORISM ISSUE:**

As you are certainly aware of, Al Qaeda has Las Vegas as one of its top 5 main targets, specifically the Strip. I am certain that the area has been scouted and targets selected based on my experience in the area and my observations of individuals and groups while in Las Vegas. They will hit what is most familiar with them, and Las Vegas is very familiar to them. (For example the mastermind behind 911 graduated from the University of North Carolina <http://edition.cnn.com/2002/US/South/12/19/al.qaeda.aggie/> .

**ACTIONS THAT WILL BE TAKEN BY TERRORIST:**

A) <http://newyork.cbslocal.com/2014/03/19/al-qaeda-magazine-calls-for-car-bombings-in-u-s-new-york>

CLV000214

B) <http://www.cnn.com/2013/09/18/world/asia/mumbai-terror-attacks/>

**RECOMMENDED COUNTER MEASURES:**

A) Special response teams will not get to the site in time, and must be in place PRIOR to any incident in the immediate area.

B) *CONTAIN AND KILL*—officers must be prepared to neutralize the terrorist at the point of attack, i.e. the attacker cannot be allowed out of the building, off the block, or off the side of the street where they attacked (Las Vegas Blvd is a perfect kill zone for a terrorist due to its geography, such as the inability to cross the Strip in certain areas combined with the natural traffic volume.) Point blank, these are the same individuals and groups that Delta Force, Navy SEALs, Army Rangers, Airforce Commandos, and Marine RECON/special forces faced on the battlefields of Iraq and Afghanistan—they are not to be underestimated. (Essentially they are Islamic special forces.) They are going to attack sooner than later.

C) Las Vegas should have its own anti-terrorism unit on the level of the NYPD's anti-terrorism unit, NYC learned its lesson the hard way 911—YOU CANNOT DEPEND ON THE FEDERAL GOVERNMENT TO PROTECT YOUR CITY. As you will see in the information from the Canadian CIA (CSIS) and the response to that information from both that unit and myself, the federal authorities are grossly out of touch with reality regarding terrorism.

– <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>

– <http://www.nydailynews.com/news/world/fbi-appalled-cia-veterans-defense-agent-nada-nadim-prouty-lies-article-1.258534>

– <http://pamelageller.com/2007/12/hezbo-mole-crack.html/>

I assure you this is not close to the worst.

I am well versed in this area as you will see due to my studies/duties as a university guest lecturer, and personal experiences however most of my experience is first hand. I left college and joined the US Army, several individuals that I attended college with left college and joined our enemy and did fight against the US in numerous war zones around the world. These individuals are supported by groups in America, and know the country as well as you and I do.

**TSA NOT TO BE DEPENDED ON**

[http://www.huffingtonpost.com/2013/12/23/airport-security\\_n\\_4494308.html](http://www.huffingtonpost.com/2013/12/23/airport-security_n_4494308.html)

<http://www.cbsnews.com/news/u-s-border-patrol-has-a-sex-abuse-problem-says-whistleblower/>

(Morale within the agency is as low as its competence—my letter warning of issue.)

**30 MARCH 2009**

Secretary Janet Napolitano  
Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

Secretary Napolitano—

I am writing you concerning a pervasive and unacceptable

CLV000215



sanctioned policy within the Department of Homeland Security of the sexual harassment of female traveler's entering the United States. I have been informed by numerous female travelers coming to visit me in the United States from Norway, Germany, and especially Canada that they are routinely harassed by male DHS inspectors. I find the allegations completely credible due to the carbon copy stories from the females, and the profile of the females– all attractive teen or near teen girls traveling alone. The harassment is so overt that it is impossible that supervisors are not aware of it, do not witness it, and in fact sanction it.

I have a substantial amount of both academic and field study experience in this area, and have personally witnessed the practice by DHS employees myself. This should be addressed in the open without hesitation. It is insulting to the female travelers, and also opens up US females to the retaliatory actions by the security personnel of other countries– which I assure has happened. Certainly with all the alleged dangers facing Americans and the gaping holes in border security at the various ports of entry, DHS does not have the luxury of expending valuable energy and tax payers' money on sexually harassing female travelers.

I thank you for your time and consideration and will await your reply.

Sincerely,

Jerome Almon

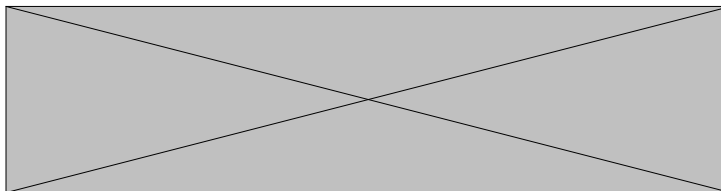
----- Original Message -----

Subject: Re: DHS RAPE/MURDERS–SCHOOL SHOOTINGS

From: "Senator Debbie Stabenow" <[senator@stabenow.senate.gov](mailto:senator@stabenow.senate.gov)>

Date: Wed, December 23, 2015 11:48 am

To: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>



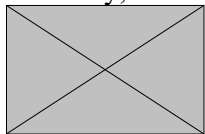
Dear Jerome,

Thank you for contacting me about the reports of sexual misconduct and abuse by U.S. Customs and Border Protection agents. I appreciate that you have taken the time to communicate your views and concerns with me.

I share your concern about this issue. Should related legislation come before the U.S. Senate for a vote, I will keep your views in mind, and share your thoughts on this issue with my colleagues who serve on the Senate Homeland Security and Governmental Affairs Committee.

Thank you again for contacting me. Please continue to keep me informed about issues of concern to you and your family.

Sincerely,



Debbie Stabenow

CLV000216

United States Senator

U.S. Senator Debbie Stabenow  
The United States Senate • Washington, DC 20510  
[stabenow.senate.gov](http://stabenow.senate.gov)

**POLICE NOT EQUIPPED FOR TERROR ATTACK IN NYC-OR ANYWHERE ELSE**

<http://observer.com/2015/11/sergeants-union-boss-nypd-patrol-cops-not-ready-for-paris-style-terror-attack/>

**9/11 WARNINGS IGNORED BY AUTHORITIES**

<http://www.wnd.com/2006/03/35348/>

<http://www.newsweek.com/saudi-arabia-911-cia-344693>

<http://truth-out.org/archive/component/k2/item/61531:fbi-agent-says-he-warned-of-911-hijackings>

[http://www.democracynow.org/2004/4/9/two\\_fbi\\_whistleblowers\\_accuse\\_bureau\\_of](http://www.democracynow.org/2004/4/9/two_fbi_whistleblowers_accuse_bureau_of)

<http://www.cbsnews.com/news/fbi-was-warned-about-flight-schools/>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=fbi%20agent%20warning%20911>

**WHAT IS NOW DHS AND NYC WERE WARNED AT THE SAME TIME OF THE THREAT AND ONLY ACTED AFTER MY FORECAST CAME TRUE**

----- Forwarded Message -----

**From:** "WEB.COMMENTS@customs.treas.gov" <[WEB.COMMENTS@customs.treas.gov](mailto:WEB.COMMENTS@customs.treas.gov)>  
**To:** [REDACTED]  
**Sent:** Thursday, September 20, 2001 9:40 AM  
**Subject:** Detroit/Windsor security/GYR

Thanks for your message. I am forwarding it onto the Security Team for investigation.

Customs/GYR

[REDACTED] (Jerome Almon)  
09/14/01 03:54 PM

To: [web.comments@customs.treas.gov](mailto:web.comments@customs.treas.gov), [technical@customs.treas.gov](mailto:technical@customs.treas.gov)  
cc:  
Subject: U.S. Customs Website Comment.

Below is the result of your feedback form. It was submitted by  
Jerome Almon ([REDACTED].com) on Friday, September 14, 2001 at 15:54:31

CLV000217

-----  
email [REDACTED].com

subject-of-this-message: Detroit/Windsor Security

website\_comments: I have had previous contacts with your office issues (specifically Bonnie Tischler). I feel it is necessary to reintroduce this information ( I will send a copy of this information to US Senator Carl Levin.) I have made complaints against certain procedures and individuals at the Detroit/Windsor border crossing. I also corresponded with the Canadian Minister for Immigration (Elinor Caplan) concerning the fact that even the supervisors at the Canadian border do not understand much of the information they need to concerning legitimate vs. false documentation. (I unfortunately am able to prove this point.) Meaning if say a person was on a wanted list -the Canadians often ask the person to interpret the information. Finally the Detroit/Windsor tunnel. It is a disaster waiting to happen. Since the US checks cars AFTER they have entered the tunnel (as does Canada) -doesn't that defeat the objective of stopping a terrorist act in the tunnel? The check should happen before the tunnel is entered, and after-or the tunnel should be closed.

-----  
REMOTE\_ADDR: 24.131.62.95

HTTP\_USER\_AGENT: Mozilla/4.0 (compatible; MSIE 5.0; Windows NT; DigExt)

I originally warned a agent at a federal law enforcement entity of the threat on 9/11 and although he agreed I was correct, he took no action, stating he didn't exactly know what to do regarding the information, and that he was quite frankly stunned at the danger. Only when an individual drove through the tunnel with what appeared to be a bomb on his front seat did the politicians take the matter up, as you will see with NYC. The tunnel is in a far worse position than it was on 9/11 due to Detroit's economic collapse, the influx of more Middle Easterners into Canada, and this <http://www.reuters.com/article/us-detroit-tunnel-bankruptcy-idUSBRE9600RT20130725>.

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Tighter security at border hits snag

Legal issues may block U.S., Canada checks before crossing

By Lisa Zagoroli / Detroit News Washington Bureau

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WASHINGTON -- Checking travelers between the United States and Canada after they've crossed the border -- which some liken to checking airline passengers after they land -- is being scrutinized by officials concerned that bridges and tunnels could be vulnerable to attack. Lawmakers are pressuring the U.S. Customs Service and Canadian officials to come up with a decision this week on whether the countries can swap inspection locations.

An alternative to paying a toll, crossing the bridge or tunnel, and then being scrutinized by Customs officials once inside the other country's territory is to do inspections before crossing.

Although the reverse inspection system is the only solution being lobbied to enhance infrastructure safety, the two nations haven't agreed

CLV000218

on how to settle legal obstacles. An old idea revived by the Sept. 11 terrorist attacks, a revised system would involve numerous agencies in both countries in the decision.

"This reverse clearance proposal has a number of sovereignty and structure issues attached to it," said Michel Proulx, spokesman for the Canada Customs and Revenue Agency in Ottawa.

"There are a lot of players involved in all of this. It's difficult to get a sound, concrete answer. No one department or agency would be able to say yes or no."

There's little to stop someone who wanted to damage the Ambassador Bridge, Detroit-Windsor Tunnel, or even Detroit Metropolitan Airport, if the crime is done before the perpetrator even gets to an inspection point, critics say.

Besides the human safety concern, destroying any one of the border-crossing points would do serious harm to the auto industry, one of the United States' economic engines, and many other businesses that rely on just-in-time delivery of material. Michigan had \$70 billion in trade with Canada in 2000.

**"Every time I drive through that tunnel, I expect something to happen," said Jerome Almon, a Detroiter who drives to and from Toronto at least twice a month.**

**"Osama bin Laden says the economy is what they want to attack, and you cannot find a more decimating effect than that bridge or tunnel on our economy. You will kill Detroit, it's over, goodbye. But think of the effect on the rest of America."**

Firearms an issue

Aside from jurisdiction, the question of whether U.S. Customs agents should carry firearms in Canada is of particular concern to Canadians. Canada is known for being much less tolerant of guns than the United States.

"Our Customs officers are not armed and at this point in time we still feel there is no reason for them to be," Proulx said.

"We have a study going on right now to determine whether the tools they have are adequate to do their jobs safely and with full security. The U.S. (agents) are (armed) and definitely that would be one of the snags in the issue."

The preclearance concept does have precedent. U.S. Customs agents inspect U.S.-bound passengers at six Canadian airports so they don't have to be routed through Customs once they arrive like travelers on flights from every other country, said former Michigan Gov. James Blanchard.

He spearheaded the "open skies" agreement when he was U.S. ambassador to Canada.

The real stumbling block to doing this at bridges and tunnels will be working out how much authority each side is given to enforce the other country's laws, he said.

"You could always prevent (a suspicious passenger) from getting on the plane," Blanchard said. "The question is who arrests them, can they say 'I choose not to fly' then go home, or do we hold them?"

Sen. Carl Levin, D-Detroit, said he thinks all of the issues can be worked out.

"The only impediment here is bureaucratic impediment," he said. "Even though there's supposed to be an urgency after Sept. 11, there seems to be some unnecessary foot-dragging."

Levin and Sen. Debbie Stabenow, D-Lansing, sent a letter to Customs Commissioner Robert Bonner on Jan. 4, insisting on a progress report by Friday.

"It is obvious that inspecting vehicles for dangerous contents such as bombs or explosives after they enter our tunnels or cross our bridges is inadequate," they wrote.

Customs spokesman Jim Michie said he wasn't sure when a decision would be made on reverse inspections, but that it was being closely studied.

Tighter local security

Local authorities say they've taken the steps they can to bolster security.

Travelers who use the Detroit-Windsor Tunnel are no longer allowed through unless operators are certain they can make to the other side without backups, said Gordon Jarvis, president of the Detroit & Canada Tunnel Corp.

"If there is an incident and you need to get out, there is space for you to do so, and there are fewer cars in the tunnel at any one time," Jarvis said. "It also makes it much easier for us to identify when there are incidents in the tunnel."

Jarvis said reverse inspections are a viable option at the tunnel, despite the smaller queue area, compared to other crossing points like the Ambassador Bridge.

The owners of the Ambassador Bridge have installed new lighting, fencing and surveillance cameras, as well as armed security 24 hours a day, said Dan Stamper, president of the Detroit International Bridge Co. Stamper said the bridge company is paying for the extra security.

"We're not sure whose responsibility it is for the cost of security, but we are not in the position to say it's not going to be done," he said.

The bridge authority has completed plans showing that logistically, preclearance can be implemented on an interim basis within 90 days, Stamper said. In doing so, there would be the added bonus of huge efficiencies in traffic flow.

"The current six lanes that cross the border, two at the tunnel and four at the bridge, become traffic lanes and not parking lots," Stamper said. "It increases the capacity of both the tunnel and the bridge, a lot more than anything else we can do today."

Blue Water Bridge study

Bruce Campbell, the engineer manager of the Blue Water Bridge, said the proposal is being examined as part of a long-term security review of the span connecting Port Huron with Sarnia, Ontario.

With the Ambassador Bridge being the busiest U.S.-Canada entry point, carrying 12 million vehicles a year, the economic implications for the

region are enormous.

"One 18-wheeler goes across that bridge every eight seconds," said Carmine Palombo, director of transportation planning at the Southeast Michigan Council of Governments.

The implications for the bridge and tunnel operators are significant as well.

"They're all looking at an out-of-pocket expense they hadn't anticipated," said Neil Gray, director of government affairs at the International Bridge, Tunnel and Turnpike Association, which represents toll agencies.

"Nobody wants to do a toll increase to reflect this, in fact I'm not sure anyone has proposed one, but it's an issue we are all having to think about."

Protecting airports is a concern as well, though most of the attention has been on protecting aircraft against air piracy, Capt. Duane E. Woerth, president of the Air Line Pilots Association, told senators late last year.

Noting that airports in Rome and Vienna have been hit, Woerth said he's worried terrorists could attack ticket counters, check-in facilities and lines of passengers waiting outside.

Airlines, bridges and tunnels are experiencing lower traffic flow because of leisure travelers concerned about terrorist risks.

**Almon, the Detroit who travels to Toronto on business, said he's a former combat engineer with the Army and he's concerned about how easily a carload of explosives put together with store-bought material could take out the bridge or tunnel.**

**"At the mouth of the Detroit tunnel sits General Motors headquarters, a terrorist would get two for one with that," Almon said.**

<http://www.dailymail.co.uk/news/article-1334404/US-subway-tunnels-terror-proof-600m-ring-steel.html>  
<http://nypost.com/2010/11/30/path-tunnels-get-600m-ring-of-steel/>

<http://www.cbc.ca/news/canada/windsor/story/2012/07/12/wdr-windsor-detroit-tunnel-closed.html>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=bomb%20in%20detroit%20windsor%20tunnel>

Ahmed Ressay, the Millennium bomber had the Detroit-Windsor tunnel, GM HQ, and the Ambassador Bridge as his secondary targets if he could not reach LAX. Had he chosen either, he would have been 100% successful and 9/11 would not be close to America's worst terrorist attack. <https://www.fbi.gov/about-us/history/famous-cases/millennium-plot-ahmed-ressam>

**THIS EMAIL WAS THE RESULT OF ONE OF NUMEROUS SECURITY WARNINGS I SENT TO THE CANADIANS COMING TRUE AND THE US SECURITY AND POLITICAL AUTHORITIES NOT UNDERSTANDING THE IMMINENT DANGER**

From: Minister of Transport, Infrastructure and Communities / Ministre des Transports, de l'infrastructure et des Collectivités <[MINTC@tc.gc.ca](mailto:MINTC@tc.gc.ca)>

Date: Thu, Oct 13, 2011 at 1:24 PM

Subject: Proposed construction of a new bridge

CLV000221

To: [REDACTED]  
Cc: "[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)" <[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)>

Dear Mr. Almon:

Thank you for your correspondence of July 18, 2011, regarding the proposed construction of a new bridge between Detroit and Windsor. Please accept my apologies for the delay in replying.

Again, thank you for writing and for providing me with your comments.

Yours sincerely,

Denis Lebel, P.C., M.P.

c.c. Office of the Right Honourable Stephen Harper, P.C., M.P.  
Prime Minister

The issue with the Ambassador Bridge is equally troubled, the owner has successfully blocked a new bridge being built. The issue too closely resembles the Dubai Ports issue [https://en.wikipedia.org/wiki/Manuel\\_Moroun](https://en.wikipedia.org/wiki/Manuel_Moroun). Ottawa wrote me 90 days after my warning to CYA and because again what I warned them about occurred.

The largest portion of the trade comes through the tunnel and bridge mentioned <https://www.commerce.gov/news/blog/2014/01/secretary-pritzker-highlights-strong-economic-partnership-between-usa-and-canada>

**PARIS-SAN BERNARDINO-BRUSSELS**

----- Original Message -----

Subject: RE: JEROME FROM WAYNE STATE UNIVERSITY

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Wed, October 21, 2015 11:44 am

To: "Mitja\_Žagar" <[mitja.zagar@guest.arnes.si](mailto:mitja.zagar@guest.arnes.si)>

Dr. Zagar-

Good to hear from you. I am sorry I just got to my email messages, I am working on several other huge projects that all come back to the migrant issue. I will have to hook up Skype, I don't know how it works to be honest.

CLV000222

The situation in the States is pretty dire. We are essentially at civil war with the country collapsing socially. All of the work that you and Dr. Feinstein did and your forecasts turned out to be 100% accurate. Simply put, America bet on the wrong people with the wrong plans and now we are getting our comeuppance.

I am against the re-settling of immigrants in the US or Europe, it will most certainly lead to more conflict in both areas and the Middle East. The only hope is establishing a safe zone in Syria and Iraq, which is as close to impossible as it gets considering the collapse of the basic structures and the radicalization of the factions. Electing George Bush was the worse event that has happened to the world since WWII. I will get on Skype and send you another email asap. I am moving to Berlin to work on a large social media project in the next 30–60 days. In the meantime I am sending these articles for your review concern my thoughts on the migrant issue. Would you be able to attend a conference on the issue of the migrants and school shooter issues in Europe or the US with all expenses and a fee paid to you?

**The other issue I am extremely concerned about is a threat that would end Detroit, cost America 2 million jobs in a week, and plunge the stock market to below 2008 and 911 levels. The Iran deal was done in part due to Iran has 40,000 agents in or at America's borders prepared to attack if Iran's nuclear facilities were attacked. That is the good news, the bad news is the Sunnis have 3X that many agents in the US and are preparing for their "Islamic Tet offensive."** With Russia, out of necessity intervening in the Syrian/Iraq war and the US govt. giving behind the scenes approval for the Russian–Iranian–Alawite axis which will inevitably bring in Israel and the US the Sunnis will go after the US and Canadians on their own soil in a much more aggressive and massive way. My assessment is that the Chinese will be drawn into the war due the unrest with the Xinjiang Province and the Uighars. The Islamic State (IS) has spread throughout Central Asia and will take Afghanistan and defeat the Taliban in the end unless there is a "mass war event." It is my contention that Putin has decided to that. He cannot lose the Syrian–Iraq War, he cannot allow the IS to continue to grow in the Central Asian Republics, and Afghanistan, and he is not giving up Crimea, and does not have the military resources nor money to fight a prolonged war. I believe Putin is planning to use a tactical/battle field nuclear weapon (NATO appears to be thinking that way on the Ukraine which is insane). Most of the intelligence guys that I respect believe that is the only way to stop the IS/Sunnis or to completely withdraw from the Middle East. What is your opinion?

Thanks–

Jerome

(My numbers on the size of the networks mentioned are accurate I assure you. 2 other respected security/intelligence officers that have a proven track record of accuracy, agree with me. The messages I sent to US authorities were more detailed and were sent in the Spring of 2014, and the Spring and Summer of 2015.)

CLV000223



## **DR. ZAGAR BIO**

### **CV**

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=mitja%20zagar%20cv>

### **INTERVIEW**

[http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h\\_b\\_7620756.html](http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h_b_7620756.html)

### **PUTIN STATEMENT ON NUCLEAR WEAPONS**

<http://www.express.co.uk/news/world/625465/Islamic-State-Russia-Vladimir-Putin-threatens-bomb-ISIS-nuclear-weapons>

### **WARNING TO AIRLINE INDUSTRY THAT FORESAW BRUSSELS ATTACK**

----- Original Message -----

Subject: THE THREAT OF TERRORISM TO THE TRAVEL INDUSTRY AND CORRECTIONS  
THAT MUST BE MADE

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Sun, November 29, 2015 7:59 pm

To: [president@apfa.org](mailto:president@apfa.org), [Nancy.Rivard@airlineamb.org](mailto:Nancy.Rivard@airlineamb.org),  
[public-comment@alliedpilots.org](mailto:public-comment@alliedpilots.org), [PMclsaac@americanpilots.org](mailto:PMclsaac@americanpilots.org),  
[comm.chair@alliedpilots.org](mailto:comm.chair@alliedpilots.org)

Cc: [communications@apfa.org](mailto:communications@apfa.org)

Sir or Madam: I am forwarding the following information sent to first responders, due to its application to your industry. To be direct, I have warned your union several times since 9/11 of these very threats, and the actions of the leadership has not matched the threat. Unfortunately, this is the same conduct of law enforcement and political leadership regarding what is now a catastrophic situation. That is, the industry will suffer huge losses in both personnel and revenue due to the lack of taking prudent steps to pre-act rather than react to obvious threats. The only hope in negating or minimizing the threat is for the travel, hotel, and tourism industries along with the pilot and flight attendant unions (and their allies) to join forces and seek to have necessary security and industry support measures put in place without political consideration. The needed measures must be completely based on the real world security and economic threat that exists, and is getting worse by the minute. The losses France and Belgium are suffering are just the

CLV000224

beginning, and minor in compared to an Egypt Air or Russian Sharm El Sheikh incident in North America or Europe. I assure you, the threat is far worse than is known even to most of the law enforcement community.

Sincerely,

Jerome Almon

### **ECONOMIC IMPACT**

<http://www.dailymail.co.uk/news/article-3338173/Terror-attacks-Paris-means-visitor-numbers-Europe-tumble-France-lost-1-4bn-tourism-revenue.html>

<http://www.dailymail.co.uk/news/article-3338512/EU-leaders-agree-Turkey-2-1billion-help-tackle-migrant-crisis-tighten-security-borders.html>

### **UNADDRESSED THREATS TO YOUR INDUSTRY**

–Foreign pilots compromised by ISIS or Al Qaeda committing an act similar to the pilot of Egypt Air 990 at an airport, city, or against another passenger airliner –An attack on airports using car/truck bombs and suicide bombers/shooters against shuttle buses and the non-secure areas of the airport such as ticketing –Compromised airport personnel (this is worse than is indicated here)

<http://www.nydailynews.com/news/world/isis-terrorist-minneapolis-worked-major-american-airport-report-article-1.1925924>

<http://www.express.co.uk/news/world/622702/easyJet-Paris-attacks-France>

<https://www.rt.com/news/323811-paris-airports-fired-radicalization/>

### **TRUE STATE OF THE TERRORIST THREAT IN AMERICA**

From Canada's CIA (CSIS):

*"Many Canadians may be surprised to learn that, with the exception of the United States, there are more terrorist groups active in Canada today than in any other country in the world."*

### **VERIFICATION**

<http://www.torontosun.com/2013/01/23/algerian-terrorists-had-canadian-ties-eh>

The information was removed from the website in late 2013 due to White House protests, the largest number of these terrorist are at the South end and North end of the tunnel and bridge cited below.

CLV000225

## **THESE REPORTS ARE FICTION**

<http://www.cnn.com/2015/12/01/politics/isis-in-united-states-research/>

<http://www.foxnews.com/world/2016/03/23/isis-trains-400-fighters-to-attack-europe-in-wave-bloodshed.html>

There are more than 400 ISIS operatives and 300 recruiters in my neighborhood. As with the deliberate ignoring of the 9/11 warnings, these non-scientific reports will result in the deaths of untold numbers of civilians.

## **ISIS INTELLIGENCE FRAUD**

<http://www.cnn.com/2015/12/01/politics/michael-flynn-obama-isis/>

<http://www.thedailybeast.com/articles/2016/04/03/intel-analysts-we-were-punished-for-telling-the-truth-about-obama-s-isis-war.html>

[http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?\\_r=0](http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?_r=0)

This failure to provide and act on the factual information regarding ISIS has led to every death of Westerners from 2012 forward– at least including Paris and Brussels. It also has American cities in the disastrous position they are in.

## **BND WARNING TO GERMAN CHANCELLOR ANGELA MERKEL**

<http://www.dailymail.co.uk/news/article-3290092/Germany-s-secret-service-warns-country-importing-Islamic-extremism-anti-Semitism-people-s-ethnic-conflicts-different-understanding-society.html>

## **NEW YEARS EVE RAPES/RAPES ACROSS EUROPE FROM REFUGEES**

<http://www.dailymail.co.uk/news/article-3388422/Huge-influx-migrant-men-lead-sex-attacks-like-Cologne-says-analyst-police-reveal-gangs-blocked-reaching-women-screamed-help.html>

## **REFUGEE SUPPORTER AND MAYOR OF COLOGNE VICTIM AND HYPOCRITE**

**COLOGNE MAYOR FIRES POLICE CHIEF OVER NEW YEARS EVE RAPES**

<http://www.thelocal.de/20160108/po>

**COLOGNE MAYOR STABBED FOR SUPPORTING REFUGEES**

<http://www.thelocal.de/20151017/german-mayoral-candidate-stabbed-in-cologne>

**ATTACKS ON REFUGEES IN GERMANY REACHES MORE THAN 1,000**

<http://www.dw.com/en/report-five-times-more-attacks-on-refugee-homes-in-germany-in-2015/a-19011109>

**EU/AUSTRALIAN ISSUE**

<http://www.dailymail.co.uk/news/article-3291416/Google-defamed-Australian-woman-auto-complete.html>

<https://www.google.com/#filter=0&q=American,%20Australian,%20And%20European%20Group%20Calls%20For%20Shut%20Down%20Of%20Ripoff%20Report>

**WE ARE NOW AT THE CENTER OF THIS CASE IN THE EU**

<http://www.wsj.com/articles/eu-to-pursue-google-parent-alphabet-on-multiple-fronts-vestager-says-1445817842>

**RIPOFF REPORT IS THE BUSINESS AND ROLE MODEL FOR THESE CRIMINALS**

<http://www.nbcnews.com/news/crime-courts/revenge-porn-kingpin-hunter-moore-pleads-guilty-faces-jail-n313061>

<http://www.nbcsandiego.com/news/local/Kevin-Bollaert-Revenge-Porn-Sentencing-San-Diego-298603981.html>

[http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article\\_cce5e80f-786a-5f66-8763-3ecb30cadb71.html](http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article_cce5e80f-786a-5f66-8763-3ecb30cadb71.html)

On Fri, 10/20/06, [bayly@de](mailto:bayly@de) <[bayly@de](mailto:bayly@de)> wrote:

From: [bayly@de](mailto:bayly@de) <[bayly@w.de](mailto:bayly@w.de)>

Subject: FW: jerome almon

To: [almonjer@yahoo.com](mailto:almonjer@yahoo.com)

CLV000227

Date: Friday, October 20, 2006, 3:42 PM

hey jerome... how ru doing? well, received the following e-mail today.... tell me if i should give him the contacts he wants or if u wanna do it urself... my mom is here for 4 days.. been to jazz concert yesterday and will go to branford marsalis concert 2morrow... its jazz too.... and right now just got back from the adidas store... man i am addicted ;) cant go there without buying smth... even when i am broke just like right now... well, hope to hear from u...

(I refused to do the documentary below for the same reasons certain entities need to police themselves better.)

Von: "scott corben"

Gesendet: 20.10.06 12:41:27

An: [bayly@.de](mailto:bayly@.de)

Betreff: jerome almon

Hi Katja,

I got your contact details from Marie at Freemuse in Denmark. My name is Scott Corben and I am a producer with Al Jazeera Television in London.

I am researching a piece on soldier in the United States and

I am really keen to speak to a guy called Jerome Almon. I believe he is based in Detroit. Maries tells me that you may have some way of contacting him. If you have an up to date email or phone number I'd really appreciate it.

Look forward to hearing from you

best regards,

Scott

Producer/Director "Top Secret"

Al-Jazeera Satellite Channel Ltd

7th Floor Westminster Tower

3 Albert Embankment London SE1 7SL

Switchboard: [+44 \(0\) 207 820 4820](tel:+442078204820)

Fax: [++44 \(0\) 207 820](tel:+442078204820)

**BIO**

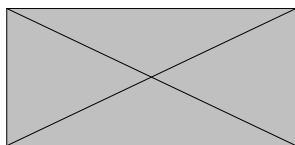
-I am a university lecturer/expert on domestic violence, international politics, terrorism,

CLV000228

and urban crime. I worked under global experts Dr.'s Mitja Zagar (Slovenia and co-author of their Constitution/Syrian refugee & security expert/Top EU negotiator), Otto Feinstein head of the Urban Agenda and author of Ethno-Development, Richard Mansbach-CIA consultant, and worked on the UN project at the University of Toronto the Delphi Project out of Belgium. Recommendation on a security issue led to DHS changing its border policy and NYC spending \$600 million to correct a catastrophic security flaw. I have been the target of an Al Jazeera documentary due to my correct predictions as well as featured on the front page of the most visited Jihadist website on Earth for a decade.

-1 year tour in the first Iraq War, am a paratrooper, combat engineer (explosives expert, featured on A&E for saving my unit's mission during combat, and awarded directly from the Pentagon for saving my task force's mission), was drafted as a translator during the war and POW camp designer, taught my brigade basic Arabic language, numerals, and history.

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 4/12/2017 7:39:26 AM  
**Subject:** [Marketing Mail] White House Proposes Executive Branch Overhaul



PUBLIC POLICY

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**Wednesday, April 12, 2017**

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## TOP NEWS

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### White House Proposes Executive Branch Overhaul

The Trump administration plans to call for a major overhaul of the executive branch that would include giving agencies more flexibility to hire and fire employees, the president's budget director said Tuesday. [Read more »](#)

### Trump Floats Trade Wins For China If It Reins In N. Korea

President Donald Trump suggested Tuesday that China could expect a more favorable outcome in trade talks with the U.S. if it stepped up its effort to stifle the rise of North Korea, linking two of the most sensitive economic and foreign policy issues of the day. [Read more »](#)

### Verrilli Says Garland High Court Snub Hurt Public Trust

Former U.S. Solicitor General Donald B. Verrilli on Tuesday called the Senate's decision not to hold a hearing to consider D.C. Circuit Chief Judge Merrick Garland for the U.S. Supreme Court a "complete and utter travesty," saying the process damaged the public's faith in the court, Senate and the U.S. constitutional system. [Read more »](#)

#### Analysis

### GOP Rage At Obama's Labor Board Could Cost Trump's NLRB

Many Obama-era National Labor Relations Board decisions are expected to be rolled back with Donald Trump in the White House, but experts say congressional Republicans may look to go even further and "punish" the board through dramatic budget cuts that would wreak havoc on the agency. [Read more »](#)

### Sessions Pledges Tough Stance Against Immigrant Criminals

U.S. Attorney General Jeff Sessions on Tuesday outlined what he deemed to be a tough new prosecution stance against immigrants unauthorized to be in the U.S. who commit various crimes, saying the Trump administration will take a "stand against this filth." [Read more »](#)

### Businesses Amp Up Opposition To Border Tax During Recess

Opponents of a House GOP plan to overhaul how corporate profits are taxed in the U.S. are gearing up for an effort to press lawmakers to back away from the plan known as the border-adjustment tax as congressional representatives head back to their districts for the April recess, according to a Tuesday announcement. [Read more »](#)

### EPA Farm Pollution Rule Struck Down By DC Circuit

The D.C. Circuit on Tuesday struck down the U.S. Environmental Protection Agency's rule exempting some farms from pollution reporting requirements, finding that the EPA improperly downplayed the importance of such reports and handing a win to environmentalists. [Read more »](#)

### Ex-Pa. Lawmaker Likely To Be Resentenced In Corruption Row

## LAW FIRMS

Akin Gump  
Baker Botts  
Cooley  
Cotchett Pitre  
Cravath Swaine  
Crowell & Moring  
DLA Piper  
Davis Wright Tremaine  
Dentons  
Dewey & LeBoeuf  
Earthjustice  
Fenwick & West  
Fisher Phillips  
Goodwin  
Graham & Dunn  
Kasowitz Benson  
Latham & Watkins  
Lawyers' Committee for Civil Rights  
Locke Lord  
McCarter & English  
Miller Nash  
Morrison & Foerster  
Munger Tolles  
Pietragallo Gordon  
Proskauer Rose  
Reed Smith  
Seyfarth Shaw  
Sidley Austin  
Squire Patton Boggs  
Suitter Axland  
Van Ness Law Firm  
Vinson & Elkins  
Walden Macht  
Wanger Jones  
Weinberg Roger  
Willkie Farr  
Wilson Sonsini

## COMPANIES

CLV000230

Pennsylvania prosecutors admitted on Friday that a nearly \$120,000 restitution sentence imposed on ex-House Speaker Bill DeWeese, who is challenging his conviction for ordering legislative staffers to perform political work, was illegal under new precedent by the state's Supreme Court. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### 9th Circ. Appeal Could Settle Climate Suit's Fate, US Says

The federal government has insisted that the Ninth Circuit be allowed to quickly review an Oregon federal judge's refusal to dismiss a suit accusing the U.S. of unconstitutionally failing to protect future generations from climate change, saying the legal issues to be decided could determine the suit's survival. [Read more »](#)

### California Appeals Court Says Fuel Standards Need Work

A California appeals court on Monday said the state's low-carbon fuel standards regulations relied on a baseline level of nitrogen oxide emissions that is too low, and it ordered the Air Resources Board to revise its calculations, although it left the program intact during the revision process. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### Cab Cos. Lose Fight Against Miami-Dade 'Uber Law'

A Florida federal judge on Monday threw out a proposed class action brought by taxi companies accusing Miami-Dade County of unconstitutionally treating them differently than ride-hailing providers such as Uber and Lyft, finding that the regulations governing the separate groups were created rationally. [Read more »](#)

## EMPLOYMENT

### Lawmakers Want 11th Circ. To Rethink Sex Orientation Ruling

Four members of Congress asked for permission Monday to back a former Georgia Regional Hospital security guard on her bid for a ruling by the full Eleventh Circuit holding that Title VII encompasses claims of sexual orientation discrimination. [Read more »](#)

### Ex-NJ Prosecutor Would Reveal Whistleblower Deal Details

The fired Hunterdon County, New Jersey, prosecutor who received \$1.5 million from the state to resolve his whistleblower lawsuit offered in a letter unveiled Monday to waive the confidentiality provision of his settlement in accord with pending legislation that would make such deals open to the public. [Read more »](#)

## INTERNATIONAL TRADE

### Trump Says NAFTA Talks Will Involve 'Pleasant Surprises'

President Donald Trump on Tuesday insisted that negotiations of updates to the North American Free Trade Agreement — which he has routinely derided as a "disaster" — will result in "pleasant surprises," while meeting with a group of CEOs and several of his cabinet members at the White House. [Read more »](#)

## TAX

### NJ Can Tax 100% Of Company's Asset Sale Gain, Court Says

The Tax Court of New Jersey upheld tax assessments against a nonresident shareholder in a water technology company for gains derived from the deemed asset sales of the company, saying in a decision released Tuesday that the income was nonoperational in nature and fully allocable to New Jersey. [Read more »](#)

American Civil Liberties Union  
American Petroleum Institute Inc.  
Associated Press  
Caterpillar Inc.  
Chevron Corporation  
Ernst & Young  
Gulf Oil Limited Partnership  
Illinois Transportation Trade Association  
Lambda Legal Defense & Educational Fund  
Lawyers' Committee for Civil Rights Under Law  
LexisNexis Group  
Lyft Inc.  
National Association of Manufacturers  
National Employment Lawyers Association  
National Women's Law Center  
Poet LLC  
Reed Elsevier  
Tax Foundation  
The Blackstone Group L.P.  
The Boeing Company  
Twitter Inc.

## GOVERNMENT AGENCIES

Bureau of Indian Affairs  
Bureau of Land Management  
Department of Commerce  
Executive Office of the President  
Federal Communications Commission  
Government Accountability Office  
NAFTA  
National Labor Relations Board  
National Nuclear Security Administration  
National Park Service  
Navajo Nation  
New Jersey Division of Taxation  
Pennsylvania Department of Revenue  
Pennsylvania Supreme Court  
Rural Utilities Service  
San Francisco International Airport  
Securities and Exchange Commission  
U.S. Customs and Border Protection  
U.S. Department of Agriculture  
U.S. Department of Defense



## Pa. Changes Sales Tax Rules For Tech Support, Refunds

Technical software support delivered from call centers may now be subject to sales and use tax in Pennsylvania, while refund petitions of more than \$100,000 for these transaction taxes may be resolved through an audit process instead of the usual administrative procedure. [Read more »](#)

## IMMIGRATION

### Feds Want Challenge To 'Sanctuaries' Exec. Order Tossed

The federal government urged a Massachusetts federal court on Monday to toss a suit filed by two Massachusetts cities that seek clarification on their compliance with federal immigration laws and whether they will be singled out as "sanctuaries" for those unauthorized to be in the U.S., saying the case is premature. [Read more »](#)

### Trump Immigration Plan Not In Vogue Among Fashion Leaders

Fashion industry representatives released a report Monday condemning the effects of President Donald Trump's immigration policies on domestic companies, designers and workers, recommending reforms to improve access to foreign talent and reduce the financial costs associated with navigating the visa system. [Read more »](#)

### ACLU Says Feds Are Ignoring Immigration Ban FOIA Request

Branches of the American Civil Liberties Union in California, Hawaii and Utah filed suit against U.S. Customs and Border Protection on Monday, claiming that the agency is ignoring its request for information on how President Donald Trump's immigration bans were enforced locally. [Read more »](#)

## NATIVE AMERICAN

### Navajo Say Utah County Can't Dodge Voting Rights Suit

The Navajo Nation Human Rights Commission told a Utah federal judge that Utah's San Juan County can't dodge its bid to find the county liable for failing to provide equal opportunities to vote to Navajo citizens, saying that a 2016 plan by the county didn't provide equally accessible polling places to Navajo voters seeking to vote in person. [Read more »](#)

### Recreational Vehicle Use Approved For Sacred Sites In Utah

U.S. Secretary of the Interior Ryan Zinke said on Monday that the Bureau of Land Management will welcome ATVs and other recreational vehicles to travel sacred Native American land in Utah, saying reopening motorized recreation to sections of the Recapture Canyon trails in San Juan County will promote public access to the 800-year-old archaeological sites along the trail. [Read more »](#)

## TELECOMMUNICATIONS

### FCC's Pai Defends Course Change On Inmate Phone Rates

Federal Communications Commission Chairman Ajit Pai in several letters posted publicly on Monday rebutted Capitol Hill criticism over his backing down from defending in court elements of his predecessor's attempt to curb high calling rates for inmates, saying that the "well-intentioned" efforts of the past exceeded the agency's authority. [Read more »](#)

### Sprint Blasts FCC Plan For Biz Data Services Regs

Sprint has pushed the Federal Communications Commission to make changes to its plan for a new regulatory model in the market for business data, or special access, services, telling aides for Chairman Ajit Pai and Commissioners Michael O'Rielly and Mignon Clyburn that the record shows there isn't adequate competition, according to a filing posted publicly Tuesday. [Read more »](#)

### FCC Fund Is Best Way To Promote Rural Service: Report

U.S. Department of Education  
U.S. Department of Energy  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Transportation  
U.S. Environmental Protection Agency  
U.S. Senate  
U.S. Supreme Court

A recent report by the Information Technology and Innovation Foundation touted the Federal Communications Commission's Connect America Fund as a model the government should look to in future efforts to build out rural broadband infrastructure, particularly in any infrastructure funding bill. [Read more »](#)

## PEOPLE

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### **Akin Gump Snags Environmental Lawyer With EPA Service**

Akin Gump Strauss Hauer & Feld LLP announced that it hired an environmental attorney who made her career in the public sector — most recently as deputy general counsel at the U.S. Environmental Protection Agency — as a partner in its Washington, D.C., office, where she will join its environment and natural resources practice. [Read more »](#)

## EXPERT ANALYSIS

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### **Scrap The Conflict Minerals Report? Not So Fast**

Those hoping for updated U.S. Securities and Exchange Commission guidance that would relieve or reduce companies' conflict minerals diligence and disclosure obligations got only a fraction of what they wanted from last week's SEC statements, says Dynda Thomas of Squire Patton Boggs LLP. [Read more »](#)

### **Group P&C Insurance: Admitted And Surplus Lines Issues**

Group property and casualty insurance offers many advantages over traditional individualized coverage, but sometimes leads to more regulatory questions across both the admitted and surplus lines insurance markets. States can be fully expected to issue clarity on these issues through new statutes, regulations, bulletins and opinions in the months and years to come, says Zachary Lerner of Locke Lord LLP. [Read more »](#)

## LEGAL INDUSTRY

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### **BigLaw Disconnect Driving Clients To Smaller Firms**

There is a significant disconnect between large law firms and their clients, which has forced some clients to turn in-house and to smaller firms for solutions, according to a Tuesday report commissioned by LexisNexis.

### **Wilson Sonsini Hikes Billable Hours Goal After Bonus Bump**

Wilson Sonsini Goodrich & Rosati in 2017 will require associates to record more billable hours than ever before, bumping up its benchmark to 1,950 after increasing its bonus levels less than three months ago, a firm memo published online said.

### **Dewey Team Mulls Retrial Strategy Amid DA's New Approach**

The Manhattan District Attorney's office has almost finished presenting its case in the retrial of two former Dewey & LeBoeuf LLP executives on charges that they falsely represented the firm's financial situation prior to its collapse, this time sans the racy drama of the first trial. Now, the defense must decide whether to put on a case of its own, or simply rely on doubt in jurors' minds during cross-examination.

### **Feds Win Discovery Stay In Fla. PACER Class Action**

A Florida federal judge paused discovery Monday in a putative class action alleging that PACER, the Public Access to Court Electronic Records system, improperly charges users for viewing judges' opinions, saying discovery would be too burdensome for the government at this stage.

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#### COMPANIES

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#### GOVERNMENT AGENCIES

U.S. Department of Justice  
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CLV000235

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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**Cc:** Lora Kalkman[lkalkman@LasVegasNevada.GOV]  
**From:** Carolyn Levering  
**Sent:** Mon 4/11/2016 9:41:59 PM  
**Subject:** RE: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Thank you!

Carolyn M. Levering, MEd, CEM  
Emergency Manager  
City of Las Vegas  
*"Building Community to Make Life Better"*  
Office - (702) 229-0770  
clevering@lasvegasnevada.gov  
[www.LVAlert.com](http://www.LVAlert.com)

---

**From:** Carolyn G. Goodman  
**Sent:** Monday, April 11, 2016 2:31 PM  
**To:** Carolyn Levering  
**Cc:** Lora Kalkman  
**Subject:** RE: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Thank you. Done....copy to you, CL.



**CAROLYN G. GOODMAN, MAYOR**

Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

*City Hall is closed on Fridays*

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**From:** Carolyn Levering  
**Sent:** Monday, April 11, 2016 1:18 PM  
**To:** Carolyn G. Goodman  
**Cc:** Lora Kalkman  
**Subject:** RE: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Well, this is certainly...interesting. I do not recall having seen or heard of such communications from this person until now. I will forward the string to the Fusion Center to follow up on. If his message reached Ted Moody prior to his retirement, he would have sent it along to SNCTC as well. If so, they will have a file started on this person and any communications they may have had with him since. His initial warning in May 2014 has yet to pan out and with no specifics to go on, there's not much we can do.

I recommend your response read something to the effect of:

"Mr. Almon, thank you for sharing your concerns about terrorism and its potential impact to the Las Vegas area. I have recently expressed my own concerns directly with Secretary Johnson of the Department of Homeland Security. As a city, we invest in many resources to ensure the safety of the community and the visitors we serve. As you know, we cannot prevent every possible act of violence or terrorism. We work very hard to ensure communication, cooperation and coordination with our local government agencies, the private sector and our state and federal partners to be prepared to achieve our 5 mission areas: prevent, protect, mitigate, respond, recover from terror attack.

I am forwarding your concerns to our Joint Terrorism Task Force and the Southern Nevada Counter Terrorism Center for further investigation. If you have knowledge of *specific planned targets, modes of attack, or dates and times of planned attack*, please file a SAR (Suspicious Activity Report) as soon as possible with our [Counter Terrorism Center](#). This report may be sent anonymously if so desired."

CLV000237

I hope this is satisfactory for your use. Please let me know if he persists with non-specific information about how much danger we are in. Thank you!

Carolyn M. Levering, MEd, CEM  
Emergency Manager  
City of Las Vegas  
"Building Community to Make Life Better"  
Office - (702) 229-0770  
[clevering@lasvegasnevada.gov](mailto:clevering@lasvegasnevada.gov)  
[www.LVAlert.com](http://www.LVAlert.com)

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**From:** Carolyn G. Goodman  
**Sent:** Monday, April 11, 2016 12:32 PM  
**To:** Carolyn Levering  
**Cc:** Lora Kalkman  
**Subject:** FW: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Are you aware of this individual and any suggested response.



**CAROLYN G. GOODMAN, MAYOR**  
Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101  
(702)229-6241  
*City Hall is closed on Fridays*

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**From:** [act@preactdontreact.com](mailto:act@preactdontreact.com) [<mailto:act@preactdontreact.com>]  
**Sent:** Friday, April 08, 2016 3:15 PM  
**To:** Carolyn G. Goodman  
**Subject:** PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

The Honorable Mayor Carolyn Goodman:

I am contacting you concerning the information on terrorism below. Due to 2 incidents in Las Vegas and my familiarity with terrorism, I sent the email below to a Las Vegas commander, and have since contacted other commanders, corporate, and a Las Vegas politician with my concerns. Unfortunately, the response was as inadequate as the response the FBI agents, civilians, and well known individuals experienced when warning top DC officials about 9/11. This is why I and others are so reluctant to contact authorities concerning the issue, and specifically why I hesitated to contact the Las Vegas commander with my original warning (due to what I witnessed in Las Vegas). If it were not for the fact so many EU, Australian, Chinese, and Indian friends/kids that I know visit Las Vegas I would just ignore the situation and let it happen and then say I told you so to the media. (I am also covering myself by having proof that I did warn every authority responsible for public safety in Las Vegas, the US, and abroad.) I assure the situation is far worse than you know, and I would not underestimate it or the ruthlessness of the enemy. They have already picked out their targets and made their decision to carry out their missions no matter what. They will have to be physically stopped by and aggressive and competent campaign led by competent and aggressive law enforcement/intelligence officers.

Due to the seriousness of the situation, my ties to the EU, Australia, and other countries, I have warned Ministers that I have had previous contact with and others this week concerning issuing a travel warning to their citizens. I have not mentioned the city of concern, however as of next week I may have to. I do not want to get involved in the situation at

CLV000238

all, I like 3 other top terrorist experts are fed up with the incompetence and politicizing of terrorism that has led to the disastrous attacks from 9/11, Paris, San Bernardino, and now Brussels. (The experts are former Clinton & Bush terrorism expert Richard Clark, former CIA agent/CNN consultant Bob Baer, and former Bin Laden desk Chief Michael Scheuer.) We have all reached this point due our being completely correct in our forecasts and strategies for addressing terrorist threats, and the individuals and entities that were listened to being dead wrong each and every time. An audit of my record on forecasting terrorist trends and events to be irrefutably accurate, and an audit of the *"experts"* to be irrefutably inaccurate.

The individuals that are sought after to address terrorism in the US by the government and media are not actually experts—are you aware of that? If you are counting on US or local counter terrorism officials to save Las Vegas—I would stock up on body bags, you're going to need them.

Those responsible for anti-terrorism measures in Las Vegas and the US as a whole have no idea what they are up against, nor do they have a clue as to how to negate the threat—hence why ISIS/Al Qaeda continue to beat them to the punch.

#### **EXAMPLES:**

—The only people that did not know that Ms. Prouty a terrorist mole were the Directors of the FBI and CIA (literally) that fought over her and gave her the highest awards the agencies has [https://www.justice.gov/archive/opa/pr/2007/November/07\\_nsd\\_910.html](https://www.justice.gov/archive/opa/pr/2007/November/07_nsd_910.html) <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>. There are a lot more Nada Prouty's in the US committing the same act. Ms. Prouty proves a Middle Easterner cannot be vetted, there are many just like her in the US that have US passports, driver's licenses, and they are in no way who the government thinks they are right down to the names on those documents.

—This terrorist pioneer lived 2 miles down the road from me [http://articles.chicagotribune.com/1985-06-19/news/8502090070\\_1\\_lebanon-david-berry-nabih-berri](http://articles.chicagotribune.com/1985-06-19/news/8502090070_1_lebanon-david-berry-nabih-berri)

I grew up here and know or have met all of the people connected to this issue and I assure you the situation is far worse than is suspected by authorities. I have met and talked to many of the individuals responsible for stopping these terrorists, and trust me—the terrorists are far ahead of the opposition.

[http://www.mlive.com/news/detroit/index.ssf/2014/08/report\\_more\\_residents\\_in\\_dearb.html](http://www.mlive.com/news/detroit/index.ssf/2014/08/report_more_residents_in_dearb.html)

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=plane+terrorism+dearborn+>

#### **LAS VEGAS CONNECTION**

<http://www.wxyz.com/news/local-news/investigations/happys-pizza-headquarters-raided-by-irs-criminal-division-dea> ( Las Vegas has a franchise and a lot more connections to Detroit/Dearborn than you likely are aware of. It is a case of this <https://www.youtube.com/watch?v=JcZHSgyos6g>)

I have talked with the founders of this business several times and this case was strictly about terrorist funding as in this case [http://www.mlive.com/lansing-news/index.ssf/2011/12/report\\_several\\_southeast\\_michi.html](http://www.mlive.com/lansing-news/index.ssf/2011/12/report_several_southeast_michi.html).

In closing, my original warning should have been ran to ground, the fact that it wasn't is proof of just how off and far behind Las Vegas is in addressing Paris and Brussels style attacks (this week every Minister from every foreign country I contacted responded with a phone call or/and email seeking further information because they now *"get it"*.) To be direct, authorities in Las Vegas and the US have their heads in the sands regarding the issue of terrorism and must change their strategy and tactics while they still have a chance to do so. With Las Vegas having the worst inherent terrorist

CLV000239



vulnerabilities of any major city, Las Vegas should be much more precise and aggressive in avoiding such an attack (which is possible). An attack in the manner that I have forecast would dwarf the Paris body count by a minimum of X5, however it will be worse. The intelligence, physical security, and counter measures of Las Vegas are an invitation for an attack, and the terrorist know all of the cities vulnerabilities as well as I do.

No casino pit boss, dealer, etc. could have the record of the anti-terrorism leadership and still be employed in Las Vegas, it is the equivalent to them *"losing"* track of a million dollars every day for a year and the casino owners and Gaming Control Board accepting any explanation he came up with as legitimate. This would never happen. The see something say something just does not work as Brussels, Paris, and San Bernardino prove with the number of people that knew and didn't talk for various reasons. The #1 reason is that people simply have no confidence in authorities taking proper action. Examine my experience with the issue, each time I am putting my life and business life in danger by even contacting authorities in Las Vegas, and not once has anyone so much as responded or asked me how and why I reached the conclusions I have reached. This is a mirror of the warning by James Woods cited below regarding 9/11—it all could have and should have been ended right then and there. The mindset of law enforcement/political leadership on the municipal level must change, at the end of the day the battle and ramifications are like all politics—local.

As you know the odds always catch up, and luck runs out. Vegas' luck is about to run out in the worst of ways. If you would like the scenario I war gamed, I will forward it upon your request.

Thank you and good luck—

Sincerely,  
Jerome Almon

**EMAIL TO LV COMMANDER**

----- Original Message -----

Subject: INFORMATION ON SAFETY ISSUES—LAS VEGAS

From: <[info@thecountermedia.com](mailto:info@thecountermedia.com)>

Date: Sat, May 17, 2014 1:02 pm

To: [ted@tedmoody.com](mailto:ted@tedmoody.com)

Sheriff Moody:

Thank you for your response and time regarding the issues below:

**1)THE TERRORISM ISSUE:**

As you are certainly aware of, Al Qaeda has Las Vegas as one of its top 5 main targets, specifically the Strip. I am certain that the area has been scouted and targets selected based on my experience in the area and my observations of individuals and groups while in Las Vegas. They will hit what is most familiar with them, and Las Vegas is very familiar to them. (For example the mastermind behind 911 graduated from the University of North Carolina <http://edition.cnn.com/2002/US/South/12/19/al.qaeda.aggie/> .

**ACTIONS THAT WILL BE TAKEN BY TERRORIST:**

A) <http://newyork.cbslocal.com/2014/03/19/al-qaeda-magazine-calls-for-car-bombings-in-u-s-new-york>

CLV000240

B) <http://www.cnn.com/2013/09/18/world/asia/mumbai-terror-attacks/>

RECOMMENDED COUNTER MEASURES:

A) Special response teams will not get to the site in time, and must be in place PRIOR to any incident in the immediate area.

B) *CONTAIN AND KILL*—officers must be prepared to neutralize the terrorist at the point of attack, i.e. the attacker cannot be allowed out of the building, off the block, or off the side of the street where they attacked (Las Vegas Blvd is a perfect kill zone for a terrorist due to its geography, such as the inability to cross the Strip in certain areas combined with the natural traffic volume.) Point blank, these are the same individuals and groups that Delta Force, Navy SEALs, Army Rangers, Airforce Commandos, and Marine RECON/special forces faced on the battlefields of Iraq and Afghanistan—they are not to be underestimated. (Essentially they are Islamic special forces.) They are going to attack sooner than later.

C) Las Vegas should have its own anti-terrorism unit on the level of the NYPD's anti-terrorism unit, NYC learned its lesson the hard way 911—YOU CANNOT DEPEND ON THE FEDERAL GOVERNMENT TO PROTECT YOUR CITY. As you will see in the information from the Canadian CIA (CSIS) and the response to that information from both that unit and myself, the federal authorities are grossly out of touch with reality regarding terrorism.

– <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>

– <http://www.nydailynews.com/news/world/fbi-appalled-cia-veterans-defense-agent-nada-nadim-prouty-lies-article-1.258534>

– <http://pamelageller.com/2007/12/hezbo-mole-crack.html/>

I assure you this is not close to the worst.

I am well versed in this area as you will see due to my studies/duties as a university guest lecturer, and personal experiences however most of my experience is first hand. I left college and joined the US Army, several individuals that I attended college with left college and joined our enemy and did fight against the US in numerous war zones around the world. These individuals are supported by groups in America, and know the country as well as you and I do.

TSA NOT TO BE DEPENDED ON

[http://www.huffingtonpost.com/2013/12/23/airport-security\\_n\\_4494308.html](http://www.huffingtonpost.com/2013/12/23/airport-security_n_4494308.html)

<http://www.cbsnews.com/news/u-s-border-patrol-has-a-sex-abuse-problem-says-whistleblower/>

(Morale within the agency is as low as its competence—my letter warning of issue.)

30 MARCH 2009

Secretary Janet Napolitano  
Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

Secretary Napolitano—

CLV000241

I am writing you concerning a pervasive and unacceptable sanctioned policy within the Department of Homeland Security of the sexual harassment of female travelers entering the United States. I have been informed by numerous female travelers coming to visit me in the United States from Norway, Germany, and especially Canada that they are routinely harassed by male DHS inspectors. I find the allegations completely credible due to the carbon copy stories from the females, and the profile of the females— all attractive teen or near teen girls traveling alone. The harassment is so overt that it is impossible that supervisors are not aware of it, do not witness it, and in fact sanction it.

I have a substantial amount of both academic and field study experience in this area, and have personally witnessed the practice by DHS employees myself. This should be addressed in the open without hesitation. It is insulting to the female travelers, and also opens up US females to the retaliatory actions by the security personnel of other countries— which I assure has happened. Certainly with all the alleged dangers facing Americans and the gaping holes in border security at the various ports of entry, DHS does not have the luxury of expending valuable energy and tax payers' money on sexually harassing female travelers.

I thank you for your time and consideration and will await your reply.

Sincerely,

Jerome Almon

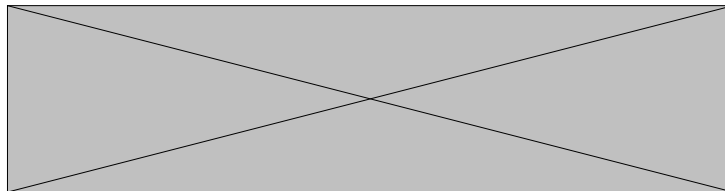
----- Original Message -----

Subject: Re: DHS RAPE/MURDERS—SCHOOL SHOOTINGS

From: "Senator Debbie Stabenow" <[senator@stabenow.senate.gov](mailto:senator@stabenow.senate.gov)>

Date: Wed, December 23, 2015 11:48 am

To: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>



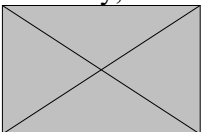
Dear Jerome,

Thank you for contacting me about the reports of sexual misconduct and abuse by U.S. Customs and Border Protection agents. I appreciate that you have taken the time to communicate your views and concerns with me.

I share your concern about this issue. Should related legislation come before the U.S. Senate for a vote, I will keep your views in mind, and share your thoughts on this issue with my colleagues who serve on the Senate Homeland Security and Governmental Affairs Committee.

Thank you again for contacting me. Please continue to keep me informed about issues of concern to you and your family.

Sincerely,



CLV000242

Debbie Stabenow  
United States Senator

U.S. Senator Debbie Stabenow  
The United States Senate • Washington, DC 20510  
[stabenow.senate.gov](http://stabenow.senate.gov)

**POLICE NOT EQUIPPED FOR TERROR ATTACK IN NYC-OR ANYWHERE ELSE**

<http://observer.com/2015/11/sergeants-union-boss-nypd-patrol-cops-not-ready-for-paris-style-terror-attack/>

**9/11 WARNINGS IGNORED BY AUTHORITIES**

<http://www.wnd.com/2006/03/35348/>

<http://www.newsweek.com/saudi-arabia-911-cia-344693>

<http://truth-out.org/archive/component/k2/item/61531:fbi-agent-says-he-warned-of-911-hijackings>

[http://www.democracynow.org/2004/4/9/two\\_fbi\\_whistleblowers\\_accuse\\_bureau\\_of](http://www.democracynow.org/2004/4/9/two_fbi_whistleblowers_accuse_bureau_of)

<http://www.cbsnews.com/news/fbi-was-warned-about-flight-schools/>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=fbi%20agent%20warning%20911>

**WHAT IS NOW DHS AND NYC WERE WARNED AT THE SAME TIME OF THE THREAT AND ONLY ACTED AFTER MY FORECAST CAME TRUE**

----- Forwarded Message -----

**From:** "WEB.COMMENTS@customs.treas.gov" <[WEB.COMMENTS@customs.treas.gov](mailto:WEB.COMMENTS@customs.treas.gov)>  
**To:** [almonjer@yahoo.com](mailto:almonjer@yahoo.com)  
**Sent:** Thursday, September 20, 2001 9:40 AM  
**Subject:** Detroit/Windsor security/GYR

Thanks for your message. I am forwarding it onto the Security Team for investigation.

Customs/GYR

[almonjer@yahoo.com](mailto:almonjer@yahoo.com) (Jerome Almon)

09/14/01 03:54 PM

To: [web.comments@customs.treas.gov](mailto:web.comments@customs.treas.gov), [technical@customs.treas.gov](mailto:technical@customs.treas.gov)

cc:

Subject: U.S. Customs Website Comment.

Below is the result of your feedback form. It was submitted by  
Jerome Almo ( [\[REDACTED\]](#) ) on Friday, September 14, 2001 at 15:54:31

CLV000243

email [REDACTED].com

subject-of-this-message: Detroit/Windsor Security

website\_comments: I have had previous contacts with your office issues (specifically Bonnie Tischler). I feel it is necessary to reintroduce this information ( I will send a copy of this information to US Senator Carl Levin.) I have made complaints against certain procedures and individuals at the Detroit/Windsor border crossing. I also corresponded with the Canadian Minister for Immigration (Elinor Caplan) concerning the fact that even the supervisors at the Canadian border do not understand much of the information they need to concerning legitimate vs. false documentation. (I unfortunately am able to prove this point.) Meaning if say a person was on a wanted list -the Canadians often ask the person to interpret the information. Finally the Detroit/Windsor tunnel. It is a disaster waiting to happen. Since the US checks cars AFTER they have entered the tunnel (as does Canada) -doesn't that defeat the objective of stopping a terrorist act in the tunnel? The check should happen before the tunnel is entered, and after-or the tunnel should be closed.

-----  
REMOTE\_ADDR: 24.131.62.95

HTTP\_USER\_AGENT: Mozilla/4.0 (compatible; MSIE 5.0; Windows NT; DigExt)

I originally warned a agent at a federal law enforcement entity of the threat on 9/11 and although he agreed I was correct, he took no action, stating he didn't exactly know what to do regarding the information, and that he was quite frankly stunned at the danger. Only when an individual drove through the tunnel with what appeared to be a bomb on his front seat did the politicians take the matter up, as you will see with NYC. The tunnel is in a far worse position than it was on 9/11 due to Detroit's economic collapse, the influx of more Middle Easterners into Canada, and this <http://www.reuters.com/article/us-detroit-tunnel-bankruptcy-idUSBRE96O0RT20130725>.

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Tighter security at border hits snag

Legal issues may block U.S., Canada checks before crossing

By Lisa Zagaroli / Detroit News Washington Bureau

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WASHINGTON -- Checking travelers between the United States and Canada after they've crossed the border -- which some liken to checking airline passengers after they land -- is being scrutinized by officials concerned that bridges and tunnels could be vulnerable to attack. Lawmakers are pressuring the U.S. Customs Service and Canadian officials to come up with a decision this week on whether the countries can swap inspection locations.

An alternative to paying a toll, crossing the bridge or tunnel, and then being scrutinized by Customs officials once inside the other country's territory is to do inspections before crossing.

Although the reverse inspection system is the only solution being lobbied to enhance infrastructure safety, the two nations haven't agreed on how to settle legal obstacles. An old idea revived by the Sept. 11

CLV000244

terrorist attacks, a revised system would involve numerous agencies in both countries in the decision.

"This reverse clearance proposal has a number of sovereignty and structure issues attached to it," said Michel Proulx, spokesman for the Canada Customs and Revenue Agency in Ottawa.

"There are a lot of players involved in all of this. It's difficult to get a sound, concrete answer. No one department or agency would be able to say yes or no."

There's little to stop someone who wanted to damage the Ambassador Bridge, Detroit-Windsor Tunnel, or even Detroit Metropolitan Airport, if the crime is done before the perpetrator even gets to an inspection point, critics say.

Besides the human safety concern, destroying any one of the border-crossing points would do serious harm to the auto industry, one of the United States' economic engines, and many other businesses that rely on just-in-time delivery of material. Michigan had \$70 billion in trade with Canada in 2000.

**"Every time I drive through that tunnel, I expect something to happen," said Jerome Almon, a Detroiter who drives to and from Toronto at least twice a month.**

**"Osama bin Laden says the economy is what they want to attack, and you cannot find a more decimating effect than that bridge or tunnel on our economy. You will kill Detroit, it's over, goodbye. But think of the effect on the rest of America."**

Firearms an issue

Aside from jurisdiction, the question of whether U.S. Customs agents should carry firearms in Canada is of particular concern to Canadians. Canada is known for being much less tolerant of guns than the United States.

"Our Customs officers are not armed and at this point in time we still feel there is no reason for them to be," Proulx said.

"We have a study going on right now to determine whether the tools they have are adequate to do their jobs safely and with full security. The U.S. (agents) are (armed) and definitely that would be one of the snags in the issue."

The preclearance concept does have precedent. U.S. Customs agents inspect U.S.-bound passengers at six Canadian airports so they don't have to be routed through Customs once they arrive like travelers on flights from every other country, said former Michigan Gov. James Blanchard.

He spearheaded the "open skies" agreement when he was U.S. ambassador to Canada.

The real stumbling block to doing this at bridges and tunnels will be working out how much authority each side is given to enforce the other country's laws, he said.

"You could always prevent (a suspicious passenger) from getting on the plane," Blanchard said. "The question is who arrests them, can they say 'I choose not to fly' then go home, or do we hold them?"

Sen. Carl Levin, D-Detroit, said he thinks all of the issues can be

worked out.

"The only impediment here is bureaucratic impediment," he said. "Even though there's supposed to be an urgency after Sept. 11, there seems to be some unnecessary foot-dragging."

Levin and Sen. Debbie Stabenow, D-Lansing, sent a letter to Customs Commissioner Robert Bonner on Jan. 4, insisting on a progress report by Friday.

"It is obvious that inspecting vehicles for dangerous contents such as bombs or explosives after they enter our tunnels or cross our bridges is inadequate," they wrote.

Customs spokesman Jim Michie said he wasn't sure when a decision would be made on reverse inspections, but that it was being closely studied.

Tighter local security

Local authorities say they've taken the steps they can to bolster security.

Travelers who use the Detroit-Windsor Tunnel are no longer allowed through unless operators are certain they can make to the other side without backups, said Gordon Jarvis, president of the Detroit & Canada Tunnel Corp.

"If there is an incident and you need to get out, there is space for you to do so, and there are fewer cars in the tunnel at any one time," Jarvis said. "It also makes it much easier for us to identify when there are incidents in the tunnel."

Jarvis said reverse inspections are a viable option at the tunnel, despite the smaller queue area, compared to other crossing points like the Ambassador Bridge.

The owners of the Ambassador Bridge have installed new lighting, fencing and surveillance cameras, as well as armed security 24 hours a day, said Dan Stamper, president of the Detroit International Bridge Co. Stamper said the bridge company is paying for the extra security.

"We're not sure whose responsibility it is for the cost of security, but we are not in the position to say it's not going to be done," he said.

The bridge authority has completed plans showing that logistically, preclearance can be implemented on an interim basis within 90 days, Stamper said. In doing so, there would be the added bonus of huge efficiencies in traffic flow.

"The current six lanes that cross the border, two at the tunnel and four at the bridge, become traffic lanes and not parking lots," Stamper said. "It increases the capacity of both the tunnel and the bridge, a lot more than anything else we can do today."

Blue Water Bridge study

Bruce Campbell, the engineer manager of the Blue Water Bridge, said the proposal is being examined as part of a long-term security review of the span connecting Port Huron with Sarnia, Ontario.

With the Ambassador Bridge being the busiest U.S.-Canada entry point, carrying 12 million vehicles a year, the economic implications for the region are enormous.

"One 18-wheeler goes across that bridge every eight seconds," said Carmine Palombo, director of transportation planning at the Southeast Michigan Council of Governments.

The implications for the bridge and tunnel operators are significant as well.

"They're all looking at an out-of-pocket expense they hadn't anticipated," said Neil Gray, director of government affairs at the International Bridge, Tunnel and Turnpike Association, which represents toll agencies.

"Nobody wants to do a toll increase to reflect this, in fact I'm not sure anyone has proposed one, but it's an issue we are all having to think about."

Protecting airports is a concern as well, though most of the attention has been on protecting aircraft against air piracy, Capt. Duane E. Woerth, president of the Air Line Pilots Association, told senators late last year.

Noting that airports in Rome and Vienna have been hit, Woerth said he's worried terrorists could attack ticket counters, check-in facilities and lines of passengers waiting outside.

Airlines, bridges and tunnels are experiencing lower traffic flow because of leisure travelers concerned about terrorist risks.

**Almon, the Detroit who travels to Toronto on business, said he's a former combat engineer with the Army and he's concerned about how easily a carload of explosives put together with store-bought material could take out the bridge or tunnel.**

**"At the mouth of the Detroit tunnel sits General Motors headquarters, a terrorist would get two for one with that," Almon said.**

<http://www.dailymail.co.uk/news/article-1334404/US-subway-tunnels-terror-proof-600m-ring-steel.html>  
<http://nypost.com/2010/11/30/path-tunnels-get-600m-ring-of-steel/>

<http://www.cbc.ca/news/canada/windsor/story/2012/07/12/wdr-windsor-detroit-tunnel-closed.html>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=bomb%20in%20detroit%20windsor%20tunnel>

Ahmed Ressam, the Millennium bomber had the Detroit-Windsor tunnel, GM HQ, and the Ambassador Bridge as his secondary targets if he could not reach LAX. Had he chosen either, he would have been 100% successful and 9/11 would not be close to America's worst terrorist attack. <https://www.fbi.gov/about-us/history/famous-cases/millennium-plot-ahmed-ressam>

**THIS EMAIL WAS THE RESULT OF ONE OF NUMEROUS SECURITY WARNINGS I SENT TO THE CANADIANS COMING TRUE AND THE US SECURITY AND POLITICAL AUTHORITIES NOT UNDERSTANDING THE IMMINENT DANGER**

From: Minister of Transport, Infrastructure and Communities / Ministre des Transports, de l'infrastructure et des Collectivités <MINTC@tc.gc.ca>

Date: Thu, Oct 13, 2011 at 1:24 PM

Subject: Proposed construction of a new bridge

To: [REDACTED]

CLV000247



Cc: "[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)" <[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)>

Dear Mr. Almon:

Thank you for your correspondence of July 18, 2011, regarding the proposed construction of a new bridge between Detroit and Windsor. Please accept my apologies for the delay in replying.

Again, thank you for writing and for providing me with your comments.

Yours sincerely,

Denis Lebel, P.C., M.P.

c.c. Office of the Right Honourable Stephen Harper, P.C., M.P.  
Prime Minister

The issue with the Ambassador Bridge is equally troubled, the owner has successfully blocked a new bridge being built. The issue too closely resembles the Dubai Ports issue [https://en.wikipedia.org/wiki/Manuel\\_Moroun](https://en.wikipedia.org/wiki/Manuel_Moroun). Ottawa wrote me 90 days after my warning to CYA and because again what I warned them about occurred.

The largest portion of the trade comes through the tunnel and bridge mentioned <https://www.commerce.gov/news/blog/2014/01/secretary-pritzker-highlights-strong-economic-partnership-between-usa-and-canada>

#### **PARIS-SAN BERNARDINO-BRUSSELS**

----- Original Message -----

Subject: RE: JEROME FROM WAYNE STATE UNIVERSITY

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Wed, October 21, 2015 11:44 am

To: "Mitja\_Žagar" <[mitja.zagar@guest.arnes.si](mailto:mitja.zagar@guest.arnes.si)>

Dr. Zagar-

Good to hear from you. I am sorry I just got to my email messages, I am working on several other huge projects that all come back to the migrant issue. I will have to hook up Skype, I don't know how it works to be honest.

CLV000248

The situation in the States is pretty dire. We are essentially at civil war with the country collapsing socially. All of the work that you and Dr. Feinstein did and your forecasts turned out to be 100% accurate. Simply put, America bet on the wrong people with the wrong plans and now we are getting our comeuppance.

I am against the re-settling of immigrants in the US or Europe, it will most certainly lead to more conflict in both areas and the Middle East. The only hope is establishing a safe zone in Syria and Iraq, which is as close to impossible as it gets considering the collapse of the basic structures and the radicalization of the factions. Electing George Bush was the worse event that has happened to the world since WWII. I will get on Skype and send you another email asap. I am moving to Berlin to work on a large social media project in the next 30–60 days. In the meantime I am sending these articles for your review concern my thoughts on the migrant issue. Would you be able to attend a conference on the issue of the migrants and school shooter issues in Europe or the US with all expenses and a fee paid to you?

**The other issue I am extremely concerned about is a threat that would end Detroit, cost America 2 million jobs in a week, and plunge the stock market to below 2008 and 911 levels. The Iran deal was done in part due to Iran has 40,000 agents in or at America's borders prepared to attack if Iran's nuclear facilities were attacked. That is the good news, the bad news is the Sunnis have 3X that many agents in the US and are preparing for their "Islamic Tet offensive."** With Russia, out of necessity intervening in the Syrian/Iraq war and the US govt. giving behind the scenes approval for the Russian–Iranian–Alawite axis which will inevitably bring in Israel and the US the Sunnis will go after the US and Canadians on their own soil in a much more aggressive and massive way. My assessment is that the Chinese will be drawn into the war due the unrest with the Xinjiang Province and the Uighars. The Islamic State (IS) has spread throughout Central Asia and will take Afghanistan and defeat the Taliban in the end unless there is a "mass war event." It is my contention that Putin has decided to that. He cannot lose the Syrian–Iraq War, he cannot allow the IS to continue to grow in the Central Asian Republics, and Afghanistan, and he is not giving up Crimea, and does not have the military resources nor money to fight a prolonged war. I believe Putin is planning to use a tactical/battle field nuclear weapon (NATO appears to be thinking that way on the Ukraine which is insane). Most of the intelligence guys that I respect believe that is the only way to stop the IS/Sunnis or to completely withdraw from the Middle East. What is your opinion?

Thanks–

Jerome

(My numbers on the size of the networks mentioned are accurate I assure you. 2 other respected security/intelligence officers that have a proven track record of accuracy, agree with me. The messages I sent to US authorities were more detailed and were sent in the Spring of 2014, and the Spring and Summer of 2015.)

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## **DR. ZAGAR BIO**

### **CV**

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=mitja%20zagar%20cv>

## **INTERVIEW**

[http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h\\_b\\_7620756.html](http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h_b_7620756.html)

## **PUTIN STATEMENT ON NUCLEAR WEAPONS**

<http://www.express.co.uk/news/world/625465/Islamic-State-Russia-Vladimir-Putin-threatens-bomb-ISIS-nuclear-weapons>

## **WARNING TO AIRLINE INDUSTRY THAT FORESAW BRUSSELS ATTACK**

----- Original Message -----

Subject: THE THREAT OF TERRORISM TO THE TRAVEL INDUSTRY AND CORRECTIONS  
THAT MUST BE MADE

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Sun, November 29, 2015 7:59 pm

To: [president@apfa.org](mailto:president@apfa.org), [Nancy.Rivard@airlineamb.org](mailto:Nancy.Rivard@airlineamb.org),  
[public-comment@alliedpilots.org](mailto:public-comment@alliedpilots.org), [PMclsaac@americanpilots.org](mailto:PMclsaac@americanpilots.org),  
[comm.chair@alliedpilots.org](mailto:comm.chair@alliedpilots.org)

Cc: [communications@apfa.org](mailto:communications@apfa.org)

Sir or Madam: I am forwarding the following information sent to first responders, due to its application to your industry. To be direct, I have warned your union several times since 9/11 of these very threats, and the actions of the leadership has not matched the threat. Unfortunately, this is the same conduct of law enforcement and political leadership regarding what is now a catastrophic situation. That is, the industry will suffer huge losses in both personnel and revenue due to the lack of taking prudent steps to pre-act rather than react to obvious threats. The only hope in negating or minimizing the threat is for the travel, hotel, and tourism industries along with the pilot and flight attendant unions (and their allies) to join forces and seek to have necessary security and industry support measures put in place without political consideration. The needed measures must be completely based on the real world security and economic threat that exists, and is getting worse by the minute. The losses France and Belgium are suffering are just the beginning, and minor in compared to an Egypt Air or Russian Sharm El Sheikh incident in North America or Europe. I assure you, the threat is far worse than is known even to most

CLV000250

of the law enforcement community.

Sincerely,

Jerome Almon

### **ECONOMIC IMPACT**

<http://www.dailymail.co.uk/news/article-3338173/Terror-attacks-Paris-means-visitor-numbers-Europe-tumble-France-lost-1-4bn-tourism-revenue.html>

<http://www.dailymail.co.uk/news/article-3338512/EU-leaders-agree-Turkey-2-1-billion-help-tackle-migrant-crisis-tighten-security-borders.html>

### **UNADDRESSED THREATS TO YOUR INDUSTRY**

–Foreign pilots compromised by ISIS or Al Qaeda committing an act similar to the pilot of Egypt Air 990 at an airport, city, or against another passenger airliner –An attack on airports using car/truck bombs and suicide bombers/shooters against shuttle buses and the non-secure areas of the airport such as ticketing –Compromised airport personnel (this is worse than is indicated here)

<http://www.nydailynews.com/news/world/isis-terrorist-minneapolis-worked-major-american-airport-report-article-1.1925924>

<http://www.express.co.uk/news/world/622702/easyJet-Paris-attacks-France>

<https://www.rt.com/news/323811-paris-airports-fired-radicalization/>

### **TRUE STATE OF THE TERRORIST THREAT IN AMERICA**

From Canada's CIA (CSIS):

*"Many Canadians may be surprised to learn that, with the exception of the United States, there are more terrorist groups active in Canada today than in any other country in the world."*

### **VERIFICATION**

<http://www.torontosun.com/2013/01/23/algerian-terrorists-had-canadian-ties-eh>

The information was removed from the website in late 2013 due to White House protests, the largest number of these terrorist are at the South end and North end of the tunnel and bridge cited below.

### **THESE REPORTS ARE FICTION**

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<http://www.cnn.com/2015/12/01/politics/isis-in-united-states-research/>

<http://www.foxnews.com/world/2016/03/23/is-trains-400-fighters-to-attack-europe-in-wave-bloodshed.html>

There are more than 400 ISIS operatives and 300 recruiters in my neighborhood. As with the deliberate ignoring of the 9/11 warnings, these non-scientific reports will result in the deaths of untold numbers of civilians.

### **ISIS INTELLIGENCE FRAUD**

<http://www.cnn.com/2015/12/01/politics/michael-flynn-obama-isis/>

<http://www.thedailybeast.com/articles/2016/04/03/intel-analysts-we-were-punished-for-telling-the-truth-about-obama-s-isis-war.html>

[http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?\\_r=0](http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?_r=0)

This failure to provide and act on the factual information regarding ISIS has led to every death of Westerners from 2012 forward– at least including Paris and Brussels. It also has American cities in the disastrous position they are in.

### **BND WARNING TO GERMAN CHANCELLOR ANGELA MERKEL**

<http://www.dailymail.co.uk/news/article-3290092/Germany-s-secret-service-warns-country-importing-Islamic-extremism-anti-Semitism-people-s-ethnic-conflicts-different-understanding-society.html>

### **NEW YEARS EVE RAPES/RAPES ACROSS EUROPE FROM REFUGEES**

<http://www.dailymail.co.uk/news/article-3388422/Huge-influx-migrant-men-lead-sex-attacks-like-Cologne-says-analyst-police-reveal-gangs-blocked-reaching-women-screamed-help.html>

### **REFUGEE SUPPORTER AND MAYOR OF COLOGNE VICTIM AND HYPOCRITE**

### **COLOGNE MAYOR FIRES POLICE CHIEF OVER NEW YEARS EVE RAPES**

<http://www.thelocal.de/20160108/po>

## **COLOGNE MAYOR STABBED FOR SUPPORTING REFUGEES**

<http://www.thelocal.de/20151017/german-mayoral-candidate-stabbed-in-cologne>

## **ATTACKS ON REFUGEES IN GERMANY REACHES MORE THAN 1,000**

<http://www.dw.com/en/report-five-times-more-attacks-on-refugee-homes-in-germany-in-2015/a-19011109>

## **EU/AUSTRALIAN ISSUE**

<http://www.dailymail.co.uk/news/article-3291416/Google-defamed-Australian-woman-auto-complete.html>

<https://www.google.com/#filter=0&q=American,%20Australian,%20And%20European%20Group%20Calls%20For%20Shut%20Down%20Of%20Ripoff%20Report>

## **WE ARE NOW AT THE CENTER OF THIS CASE IN THE EU**

<http://www.wsj.com/articles/eu-to-pursue-google-parent-alphabet-on-multiple-fronts-vestager-says-1445817842>

## **RIPOFF REPORT IS THE BUSINESS AND ROLE MODEL FOR THESE CRIMINALS**

<http://www.nbcnews.com/news/crime-courts/revenge-porn-kingpin-hunter-moore-pleads-guilty-faces-jail-n313061>

<http://www.nbcsandiego.com/news/local/Kevin-Bollaert-Revenge-Porn-Sentencing-San-Diego-298603981.html>

[http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article\\_cce5e80f-786a-5f66-8763-3ecb30cadb71.html](http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article_cce5e80f-786a-5f66-8763-3ecb30cadb71.html)

On Fri, 10/20/06, [bayly@.de](mailto:bayly@.de) <[bayly@.de](mailto:bayly@.de)> wrote:

From: [bayly@.de](mailto:bayly@.de) <[bayly@w.de](mailto:bayly@w.de)>

Subject: FW: jerome almon

To: [REDACTED]

Date: Friday, October 20, 2006, 3:42 PM

hey jerome... how ru doing? well, received the following e-mail today.... tell me if i should give him the contacts he wants or if u wanna do it urself... my mom is here for 4 days.. been to jazz concert yesterday and will go to branford marsalis concert 2morrow... its jazz too.... and right now just got

CLV000253

back from the adidas store... man i am addicted ;) cant go there without buying smth... even when i am broke just like right now... well, hope to hear from u...

(I refused to do the documentary below for the same reasons certain entities need to police themselves better.)

Von: "scott corben"

Gesendet: 20.10.06 12:41:27

An: [bayly@.de](mailto:bayly@.de)

Betreff: jerome almon

Hi Katja,

I got your contact details from Marie at Freemuse in Denmark. My name is Scott Corben and I am a producer with Al Jazeera Television in London.

I am researching a piece on soldier in the United States and I am really keen to speak to a guy called Jerome Almon. I believe he is based in Detroit. Maries tells me that you may have some way of contacting him. If you have an up to date email or phone number I'd really appreciate it.

Look forward to hearing from you

best regards,

Scott

Producer/Director "Top Secret"  
Al-Jazeera Satellite Channel Ltd  
7th Floor Westminster Tower  
3 Albert Embankment London SE1 7SL  
Switchboard: [+44 \(0\) 207 820 4820](tel:+442078204820)  
Fax: [++44 \(0\) 207 820](tel:+44207820)

## **BIO**

-I am a university lecturer/expert on domestic violence, international politics, terrorism, and urban crime. I worked under global experts Dr.'s Mitja Zagar (Slovenia and co-author of their Constitution/Syrian refugee & security expert/Top EU negotiator), Otto Feinstein head of the Urban Agenda and author of Ethno-Development, Richard Mansbach-CIA consultant, and worked on the UN project at the University of Toronto the Delphi Project out of Belgium. Recommendation on a security issue led to DHS changing its border policy

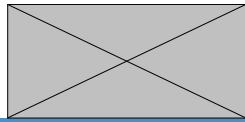
CLV000254

and NYC spending \$600 million to correct a catastrophic security flaw. I have been the target of an Al Jazeera documentary due to my correct predictions as well as featured on the front page of the most visited Jihadist website on Earth for a decade.

–1 year tour in the first Iraq War, am a paratrooper, combat engineer (explosives expert, featured on A&E for saving my unit's mission during combat, and awarded directly from the Pentagon for saving my task force's mission), was drafted as a translator during the war and POW camp designer, taught my brigade basic Arabic language, numerals, and history.



**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 6/10/2016 8:31:15 AM  
**Subject:** [Marketing Mail] Show Us The MoneyGrams, 21 States Tell Del. In Fund Bid



## PUBLIC POLICY

Who's replaced Scalia as the chattiest justice during oral arguments?

Find out when Law360 In-Depth launches June 11.

Friday, June 10, 2016

### TOP NEWS

#### Show Us The MoneyGrams, 21 States Tell Del. In Fund Bid

A coalition of 21 states has filed a lawsuit in the U.S. Supreme Court alleging that the state of Delaware has wrongly collected at least \$162 million in unclaimed funds from MoneyGram checks, Texas Attorney General Ken Paxton announced Thursday.

#### US House Votes To Intervene In Puerto Rico Debt Crisis

The U.S. House of Representatives passed a bill on Thursday to put an oversight board in charge of alleviating Puerto Rico's debt crisis through fiscal supervision and restructuring, leaving the onus on the Senate to pass what some representatives called the territory's only hope for recovery.

#### Fla. Judge Faces Suspension Over Misleading Campaign Ads

A Florida judicial oversight panel on Thursday recommended a three-month suspension for a state judge charged with using misleading campaign materials in her 2014 judicial campaign, saying the judge's behavior was "offensive and disturbing."

#### More Obstacles To Judicial Retirement Vote, Pa. Court Warns

The Pennsylvania Commonwealth Court on Thursday said that the partisan fight over the wording and timing of a ballot question to raise the state's mandatory judicial retirement age to 75 could lead to the measure — already delayed once — being bumped off the November ballot.

#### NJ High Court Backs Christie On Nixing Pension COLAs

New Jersey isn't bound to make cost-of-living adjustments to the pensions of retired public workers after the state Supreme Court on Thursday ruled in favor of Gov. Chris Christie and found that retirees challenging a suspension of those increases couldn't show they had a contractual right to receive them.

#### NY Lawmakers Eye Proposed Prosecutorial Conduct Panel

A proposed New York bill seeking to set up a prosecutorial conduct commission similar to one overseeing judges will have a "chilling effect" on prosecutors, one district attorney told legislators at a Wednesday hearing evaluating the bill.

#### IRS Limits Taxpayer Definition For Bankruptcy Exclusions

The IRS issued final regulations Thursday to restrict who can exclude income generated from the discharge of indebtedness in bankruptcy or insolvency cases

### LAW FIRMS

Allen & Overy  
Alston & Bird  
Arent Fox  
Arnold & Porter  
Baker & McKenzie  
Boardman Carr  
Bochetto & Lentz  
Bohyer Erickson  
Boies Schiller  
Boyd Fernambucq  
Brandi Law Firm  
Butler Rubin  
Cadwalader Wickersham  
Cahill Gordon  
Carlton Fields  
Cleary Gottlieb  
Clifford Chance  
Cohen Milstein  
Cooley  
Cravath Swaine  
DLA Piper  
Davis Polk  
Davis Wright Tremaine  
Debevoise & Plimpton  
Dentons  
Dewey & LeBoeuf  
Dorsey & Whitney  
Durie Tangri  
Earthjustice  
Epstein Becker Green  
Fenwick & West  
Fox Rothschild  
Franczek Radelet  
Freshfields

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for tax purposes.

### Top DOJ Antitrust Litigator Stepping Down

David Gelfand, the deputy assistant attorney general for litigation at the U.S. Department of Justice's antitrust division, is leaving the department after working there for three years, the DOJ said Thursday.

### NJ Lawmakers Back Tenure For Recently-Disciplined Judge

The New Jersey Senate Judiciary Committee voted Thursday to give tenure to a Superior Court judge who was disciplined for making inappropriate comments to prosecutors and a witness, in a unanimous decision that followed the jurist's repeated expressions of remorse to the lawmakers.

## ANALYSIS

### DOJ's Gelfand Helped Boost Antitrust Trial Readiness

Deputy Assistant Attorney General David Gelfand, who is departing from the U.S. Department of Justice's Antitrust Division after leading its litigation efforts for three years, leaves behind an enforcement team that is better prepared and more willing to take cases to trial, former colleagues said.

### FCC Unfazed By Bipartisan Pushback On Set-Top Box Plan

Federal Communications Commission Chairman Tom Wheeler will likely stay the course on his plan to unlock the TV set-top box until his tenure ends, experts say, even though the proposal has drawn unusual bipartisan resistance in Congress and has riled industry groups who claim it could undermine pay-TV programming.

### Future Of US-China Trade In Flux As Obama's Term Nears End

This week's conclusion of the U.S.-China Strategic and Economic Dialogue marks the twilight of high-level engagement between the two trading powers under the Obama administration, leaving experts with questions about how best to tackle thorny policy squabbles with Beijing in the coming years.

## BANKING & SECURITIES

### OTC Wants New Offering Rules Extended To More Companies

OTC Markets Group Inc., which operates several over-the-counter securities markets, urged the U.S. Securities and Exchange Commission Tuesday to extend its new rules for offering shares online to companies that are already under the agency's reporting regime, arguing that is what Congress intended.

## ENERGY & ENVIRONMENTAL

### EPA Missed Deadlines For Emissions Review, Enviro Says

The U.S. Environmental Protection Agency has dragged its feet for years and missed deadlines to update air emissions requirements for cancer-causing and toxic pollutants common in manufacturing and refining, five environmental groups alleged Wednesday.

### Enviros Tell EPA That Researcher Hid Flaws In Methane Data

An environmental advocacy group on Wednesday turned to the inspector general of the U.S. Environmental Protection Agency with scathing accusations that the former head of the agency's Science Advisory Board hid fatal flaws about his research into methane emissions in the fossil fuel industry.

## HEALTH & LIFE SCIENCES

Gibson Dunn  
Greenberg Gross  
Greenberg Traurig  
Gunderson Dettmer  
Hicks Porter  
Hogan Lovells  
Holwell Shuster  
Hueston Hennigan  
Hughes Hubbard  
Irell & Manella  
Jenner & Block  
Kaye Scholer  
Keker & Van Nest  
King & Ballow  
Kirkland & Ellis  
Kleinbard LLC  
Labaton Sucharow  
Latham & Watkins  
Lewis Baach  
Linklaters  
Mayer Brown  
McKool Smith  
Milbank Tweed  
Munger Tolles  
O'Melveny & Myers  
Paul Weiss  
Pillsbury Winthrop  
Proskauer Rose  
Quinn Emanuel  
Robbins Geller  
Searcy Denney  
Seyfarth Shaw  
Sidley Austin  
Simmons & Simmons  
Simpson Thacher  
Skadden  
Slack & Davis  
Smith & Laqueria  
Snell & Wilmer  
Sullivan & Cromwell  
The Miller Law Firm PC  
Tucker Law Group  
Venable LLP  
Vinson & Elkins  
Wargo & French  
Webb & Eley  
Weil Gotshal  
Weissman & Mintz  
Williams & Connolly  
Willkie Farr  
Winston & Strawn

## Fla. Justices Ponder Caps In Medical Malpractice Rows

The Florida Supreme Court expressed concerns Thursday about the potential chilling effect of lawmakers' decision to limit attorneys' fees in a medical malpractice suit against a public hospital, the same day the justices heard arguments in litigation over capping noneconomic damages in another malpractice row.

## TRANSPORTATION & INFRASTRUCTURE

### Calif.-Vegas Rail Developer Nixes Deal With Chinese Partner

Private rail developer XpressWest vowed Wednesday to continue moving forward with ambitious plans to build a high-speed passenger rail line between southern California and Las Vegas, despite ending a joint development deal with its Chinese partner.

## EMPLOYMENT

### Senate Panel Sends \$164M Health, Labor Funding Bill To Floor

The U.S. Senate Committee on Appropriations on Thursday sent a \$164 billion funding bill to the Senate floor, a measure that would increase money for health care research, restore year-round grants available to college students and work to combat the opioid crisis.

### Uber, Lyft Hit With Class Actions For Ditching Austin

Uber and Lyft were hit with a pair of proposed class actions in California federal court on Thursday alleging the ride-hailing giants abruptly pulled out of Austin, Texas, after unsuccessfully lobbying to defeat the city's background check regulations, leaving drivers jobless without proper warning.

### Federal Judge Permanently Blocks Alabama Marriage Laws

An Alabama federal court on Tuesday said the state can't be trusted to enforce the U.S. Supreme Court's decision in Obergefell v. Hodges and ordered a permanent injunction against the enforcement of two state laws barring same-sex marriage.

### OT Expansion Rule Will Choke Businesses, House Panel Told

The U.S. Department of Labor's overtime expansion rule will hinder businesses' ability to offer flexibility and advancement to newly overtime-eligible workers, a House committee heard Thursday, while elsewhere the DOL chief touted the expansion as a big win for middle-class employees.

### SEC Hands Whistleblower \$17M For Juicy Tip

The U.S. Securities and Exchange Commission said on Thursday that it has awarded \$17 million — its second-largest award yet — to a former company employee whose detailed tip gave the regulator a major leg up in an investigation and enforcement proceeding.

### Louisiana Becomes Latest To 'Ban The Box' For State Jobs

Louisiana Gov. John Bel Edwards on Wednesday signed "ban the box" legislation into law for state government positions, making his state the latest to prohibit asking job-seekers about their criminal histories at the start of the application process.

## PRIVACY & CONSUMER PROTECTION

### House Panel Wants DHS Cybersecurity Unit Made Into Agency

A U.S. House of Representatives panel approved a bill Wednesday that would elevate the U.S. Department of Homeland Security's cybersecurity division into a full-blown agency, a move intended to help fight the growing threat of cyberattacks,

Wolf Haldenstein  
Womble Carlyle  
Zeldes Haeggquist

## COMPANIES

3M Company  
A.M. Best Company Inc.  
AARP Inc.  
AT&T Inc.  
America's Health Insurance Plans  
American Bar Association  
American International Group Inc.  
American Psychological Association  
Baker Hughes Inc.  
Bank of America Corporation  
Bazaarvoice Inc.  
Blue Cross Blue Shield of Michigan Inc.  
Blue Cross and Blue Shield Association  
BlueCross BlueShield of Nebraska  
BlueCross BlueShield of North Carolina  
Center on Budget and Policy Priorities  
CenturyLink Inc.  
Comcast Corporation  
Competitive Carriers Association  
Credit Agricole SA  
Cushman & Wakefield Inc.  
DecisionQuest Inc.  
Delta Air Lines Inc.  
Digital Risk LLC  
Electrolux AB  
Facebook  
Frontier Communications Corporation  
General Electric Company  
Gilead Sciences Inc.  
Google Inc.  
HSBC Holdings PLC  
Halliburton Company  
Highmark Inc.  
LexisNexis Group  
Lippman Jungers LLC  
Lyft Inc.  
Markets Group Inc.  
McGraw Hill Financial Inc.  
Merck & Co Inc.  
Meritor Inc.  
MoneyGram International, Inc.  
Montefiore Health System Inc.

lawmakers claimed.

### Parents OK'd To Withhold Details In Trans Locker Room Fight

An Illinois federal judge on Thursday said he doesn't need specific evidence of privacy violations to rule on an injunction barring a U.S. Department of Education policy allowing transgender students access to locker rooms and bathrooms matching their gender identity.

### Miami Beach Bans Gay Conversion Therapy For Minors

Miami Beach, Florida, on Wednesday joined a growing list of cities and states that have banned so-called sexual conversion therapy for minors, a controversial practice that claims to change a subject's sexual orientation.

## GOVERNMENT CONTRACTS

### Moody's, S&P Tank Ill. Bond Rating After Year With No Budget

Moody's Investors Service and S&P Global Ratings hit Illinois with more bond downgrades this week after state legislators closed out the spring session May 31 without coming to an agreement on a budget that would end the state's yearlong impasse.

### DOD Eyes Changes To Officer Promotions, Civilian Hiring

The military wants to carry out the largest overhaul of its officer promotions system in at least 30 years, Secretary of Defense Ash Carter said Thursday morning, telling a Pentagon audience his department must take a more flexible approach to its "up or out" system in order to recruit and keep top talent.

### Senate Rejects Bid To Add \$18B To 2017 Defense Budget

The U.S. Senate on Thursday rejected a move to increase the 2017 defense budget by \$18 billion, avoiding a potential friction point with the White House, as lawmakers continued to debate the \$602 billion National Defense Authorization Act.

## INTERNATIONAL TRADE

### CFTC Rule Would Require Clearing More Interest Rate Swaps

The U.S. Commodity Futures Trading Commission on Thursday proposed a rule amendment that would require more interest rate swaps to be cleared either through a registered derivatives clearing organization or an organization that has been exempted from registration under the Commodity Exchange Act.

### WTO Members Take Stock Of Farm Subsidies

The World Trade Organization's Agriculture Committee met on Tuesday and Wednesday to discuss progress that has been made since a decision last year to scrap agricultural export subsidies and to strengthen rules on other forms of export support.

### Footwear Coalition Wants To Stomp Out Tariffs Under TTIP

U.S. and European footwear groups asked their governments on Wednesday to eliminate tariffs and other non-tariff barriers in the footwear trade, along with regulatory harmonization in the sector as part of the Transatlantic Trade and Investment Partnership.

## TAX

### Oregon Appeals Court Upholds Portland's Arts Education Tax

A state appeals court in Oregon has sided with the city of Portland in a citizen's challenge of an annual tax supporting public arts education, saying that a lower court correctly ruled that the tax was not an across the board "poll or head tax"

Moody's Corporation  
National Cable &  
Telecommunications Association  
National CineMedia, Inc.  
National Employment Law Project  
New Jersey State Bar Association  
New York State Bar Association  
NewYork-Presbyterian Hospital  
Office Depot Inc.  
Public Knowledge  
Royal Dutch Shell PLC  
Sierra Club  
Southern Poverty Law Center  
Sprint Nextel Corporation  
Starbucks Corporation  
Time Warner Cable  
Trump Organization Inc.  
Turing Pharmaceuticals AG  
Twitter Inc.  
UBS AG  
Uber Technologies Inc.  
United Continental Holdings Inc.  
United States Telecom  
Association  
UnitedHealth Group Inc.  
Universal Music Group Inc.  
Verizon Communications  
Washington Post Co.  
Washington Redskins  
Zeughauser Group LLC

## GOVERNMENT AGENCIES

Bureau of Citizenship and  
Immigration Services  
California Transportation Agency  
Centers for Disease Control and  
Prevention  
Centers for Medicare & Medicaid  
Services  
Central Intelligence Agency  
Commodity Futures Trading  
Commission  
Equal Employment Opportunity  
Commission  
Executive Office of the President  
Federal Communications  
Commission  
Federal Trade Commission  
Florida House of Representatives  
Food and Drug Administration  
Government Accountability Office  
Indian Health Service  
Internal Revenue Service

prohibited by the state constitution.

**IRS Delays FATCA Implementation By 6 Months**

The IRS said Thursday it is pushing out its phased implementation of the Foreign Account Tax Compliance Act by six months, after receiving feedback that the original timeline presented practical problems for foreign financial institutions and domestic withholding agents.

**IRS Sued Over Rules On Offshore Disclosure Program**

Taxpayers switching to a revised IRS offshore account disclosure program must comply with rules that actually reward those who waited to voluntarily disclose their offshore accounts with lower penalties and less red tape, according to a D.C. federal suit filed Thursday against the agency.

**BANKRUPTCY**

**High Court Says Puerto Rico Is Not Sovereign In Criminal Case**

The U.S. Supreme Court ruled Thursday that Puerto Rico and the U.S. government may not prosecute individuals for the same crimes in a case that tested the limits of the territory's sovereignty, an issue that has become increasingly urgent as the commonwealth has struggled with a massive debt problem.

**IMMIGRATION**

**Bill Aims To Boost Employment Visas, But Chop Family Ones**

A congressman introduced a bill that his office says would reduce family-based visas, and boost employment visas by a reported 80 percent, as well as cut off foreign aid to Honduras and other Central American countries.

**NATIVE AMERICAN**

**Rep. Floats Indian Health Service Reform Bill**

U.S. Rep. Kristi Noem, R-S.D., on Wednesday announced the introduction of a bill aimed at helping the "crisis-stricken" Indian Health Service by instituting a host of workforce and funding allocation reforms at the agency.

**TELECOMMUNICATIONS**

**FCC Refuses More Time In Special Access Regs Reboot**

The Federal Communications Commission on Wednesday denied a trade group's bid to extend the deadline to give feedback on proposed regulations for the business data services market, saying the industry has been aware that the state of competition in the market has been under consideration for years.

**Lifeline Fraud Even Worse At \$476M Yearly, FCC's Pai Warns**

Republican Federal Communications Commissioner Ajit Pai warned Wednesday that abuse of the Lifeline low-income phone subsidy may be even more widespread than he first thought when launching an investigation into the program, to the tune \$476 million a year.

**ISPs' Free Speech At Risk In FCC Privacy Plan, Sen. Says**

The Federal Communications Commission's proposal to regulate how internet service providers treat customer data appears to be an "unconstitutional restriction on commercial speech" when they have the right to use consumer information for marketing and other purposes, Sen. Jeff Flake, R-Ariz. recently said.

National Institutes of Health  
New Jersey Legislature  
Rosebud Sioux Tribe  
Securities and Exchange Commission  
Social Security Administration  
Transportation Security Administration  
U.S. Department of Defense  
U.S. Department of Education  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Senate  
U.S. Supreme Court  
Wage and Hour Division



## PEOPLE

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### Former DOJ Atty Who Led Petraeus Case Joins Snell & Wilmer

A former U.S. Department of Justice trial attorney who led the successful prosecution against former CIA Director David Petraeus has joined Snell & Wilmer LLP, where he will work on both cybersecurity and white collar regulatory enforcement matters, the firm announced.

## EXPERT ANALYSIS

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### EB-5 Reform: What To Expect After SEC Jay Peak Enforcement

The U.S. Securities and Exchange Commission's recent enforcement action against Jay Peak, a ski resort in Vermont, underscores the need for reform to the EB-5 program. As the EB-5 market continues to evolve and mature we should expect Congress to finally implement reforms such as larger investment requirements and greater integrity measures, say attorneys at Fox Rothschild LLP.

### NYC Human Rights Law: 'Equal Opportunity' Offender

The current New York City Human Rights Law standards and burdens continue to confuse state and federal courts in the Second Circuit. It is time for the court of appeals to clarify NYCHRL legal standards and burdens, for neither the courts nor litigants are well served by the current state of affairs, say Barry Asen and Kristopher Reichardt at Epstein Becker Green PC.

### ACA Risk Corridor Funding Falls Short, Litigation Ensues

The decision by health insurers to litigate Affordable Care Act risk corridor funding shortfalls and the import of the recent Burwell decision in D.C. federal court are best understood in the context of the broader political struggle concerning ACA implementation, which continues to create uncertainty and risk for participating health plans, say attorneys at Butler Rubin Saltarelli & Boyd LLP.

### Navigating FDA's New Nutrition And Supplement Fact Rules

The U.S. Food and Drug Administration's recent overhaul of its rules governing nutrition labeling for foods and dietary supplements will require significant company compliance efforts in the near term and could expose businesses to litigation risk. Attorneys at Venable LLP assess the impact of the new rules and explain how companies can adhere to the new requirements and manage risk.

### In-House Teams Are Voting With Their Feet — And Then Some

The real threat to law firms comes from in-house legal departments, which have increased in size, prestige, management responsibility, and attractiveness to top legal talent. But it's not just labor arbitrage that accounts for the shift from outsourcing work to doing it in-house, says Mark A. Cohen, founder of Legal Mosaic LLC.

## LEGAL INDUSTRY

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### How To Become An Attorney GCs Fear

Being a top-notch litigator means you don't want to be loved — you want to be feared. But how do you become that lawyer who sends shivers down the spines of general counsels? Here, Law360 talks to attorneys about three things you can do to become a litigator who scares opposing GCs.

### Sidley, Latham, 30 Others Hop On The \$180K Train

As of Thursday evening, more than 30 more firms have embraced an associate pay scale starting at \$180,000 a year, including a nearly worldwide raise at Latham & Watkins LLP and pay bumps at Sidley Austin LLP, Kirkland & Ellis LLP and others.

### Cravath's \$180K Raise May Deepen Legal Industry Divide

As more elite law firms jump on the \$180,000 starting salary bandwagon led by Cravath Swaine & Moore LLP, experts say the already stratified legal industry will likely begin to see an even starker divide when it comes to recruiting top talent and securing high-paying legal work.

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Associates at Cravath Swaine & Moore earned a spot among the legal lions this week, nabbing a salary upgrade that's set a new standard for blue-chip law firms, while a former Merck in-house attorney landed the drugmaker and its legal team among the lambs after a judge cited his extensive and Merck-condoned misconduct in scrapping a \$200 million verdict in its favor.

### **Post Trump, NY Bar Chief Calls Attacks On Judges Improper**

The president of the New York Bar Association spoke out Thursday against personal attacks on judges in a response to Donald Trump's disparaging comments about a California federal judge, although she did not mention the Republican presidential candidate by name.

### **Compliance Problems Climb With Companies' Rate Of Change**

Compliance shortfalls increase at companies that have experienced organizational change such as expansions, mergers or turnover in the leadership ranks, according to a new business ethics survey of workers in 13 countries.

### **Justices Give Practical Fix To Rare Problem Of Jury Recalls**

The U.S. Supreme Court's decision empowering federal district courts to recall discharged civil juries if verdict errors are discovered could save parties the trouble and expense of a retrial, but in such rare instances, the potential for returning jurors to be biased by outsiders could have an enormous impact on the case, experts say.

### **Barclays May Demand Rebates From More Outside Law Firms**

British banking giant Barclays has said that it plans to expand its program dictating how much outside law firms are paid and how much they must rebate the bank if they fail to hit certain work level targets, it was reported on Wednesday.

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Paul Weiss  
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Skadden  
Sullivan & Cromwell  
Weil Gotshal  
Williams & Connolly  
Winston & Strawn  
Allen & Overy  
Alston & Bird  
Arent Fox  
Arnold & Porter  
Baker & McKenzie  
Boardman Carr  
Bochetto & Lentz  
Bohyer Erickson  
Boies Schiller  
Boyd Fernambucq  
Brandi Law Firm  
Butler Rubin  
Carlton Fields  
Cohen Milstein  
DLA Piper  
Davis Wright Tremaine  
Dentons  
Dorsey & Whitney  
Durie Tangri  
Earthjustice  
Epstein Becker Green  
Fenwick & West  
Fox Rothschild  
Franczek Radelet  
Gibson Dunn  
Greenberg Gross  
Greenberg Traurig  
Gunderson Dettmer  
Hicks Porter  
Hogan Lovells  
Hughes Hubbard  
Jenner & Block  
Kaye Scholer  
Keker & Van Nest  
King & Ballow  
Kleinbard LLC  
Labaton Sucharow  
Lewis Baach  
Linklaters  
Mayer Brown  
McKool Smith  
Munger Tolles  
Pillsbury Winthrop



Robbins Geller  
Searcy Denney  
Seyfarth Shaw  
Simmons & Simmons  
Slack & Davis  
Smith & Laquercia  
Snell & Wilmer  
The Miller Law Firm PC  
Tucker Law Group  
Venable LLP  
Vinson & Elkins  
Wargo & French  
Webb & Eley  
Weissman & Mintz  
Willkie Farr  
Wolf Haldenstein  
Womble Carlyle  
Zeldes Haeggquist

#### COMPANIES

Google Inc.  
Baker Hughes Inc.  
Blue Cross and Blue Shield Association  
Comcast Corporation  
Electrolux AB  
Facebook  
Halliburton Company  
Sierra Club  
Time Warner Cable  
Verizon Communications  
3M Company  
A.M. Best Company Inc.  
AARP Inc.  
AT&T Inc.  
America's Health Insurance Plans  
American Bar Association  
American International Group Inc.  
American Psychological Association  
Bank of America Corporation  
Bazaarvoice Inc.  
Blue Cross Blue Shield of Michigan Inc.  
BlueCross BlueShield of Nebraska  
BlueCross BlueShield of North Carolina  
Center on Budget and Policy Priorities  
CenturyLink Inc.  
Competitive Carriers Association  
Credit Agricole SA  
Cushman & Wakefield Inc.  
DecisionQuest Inc.  
Delta Air Lines Inc.  
Digital Risk LLC

Frontier Communications Corporation  
General Electric Company  
Gilead Sciences Inc.  
HSBC Holdings PLC  
Highmark Inc.  
LexisNexis Group  
Lippman Jungers LLC  
Lyft Inc.  
Markets Group Inc.  
McGraw Hill Financial Inc.  
Merck & Co Inc.  
Meritor Inc.  
MoneyGram International, Inc.  
Montefiore Health System Inc.  
Moody's Corporation  
National Cable & Telecommunications Association  
National CineMedia, Inc.  
National Employment Law Project  
New Jersey State Bar Association  
New York State Bar Association  
NewYork-Presbyterian Hospital  
Office Depot Inc.  
Public Knowledge  
Royal Dutch Shell PLC  
Southern Poverty Law Center  
Sprint Nextel Corporation  
Starbucks Corporation  
Trump Organization Inc.  
Turing Pharmaceuticals AG  
Twitter Inc.  
UBS AG  
Uber Technologies Inc.  
United Continental Holdings Inc.  
United States Telecom Association  
UnitedHealth Group Inc.  
Universal Music Group Inc.  
Washington Post Co.  
Washington Redskins  
Zeughauser Group LLC

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Communications Commission  
Securities and Exchange Commission  
U.S. House of Representatives  
Federal Trade Commission  
Internal Revenue Service  
U.S. Senate  
Bureau of Citizenship and Immigration Services  
Centers for Medicare & Medicaid Services

U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
California Transportation Agency  
Centers for Disease Control and Prevention  
Central Intelligence Agency  
Commodity Futures Trading Commission  
Equal Employment Opportunity Commission  
Executive Office of the President  
Florida House of Representatives  
Food and Drug Administration  
Government Accountability Office  
Indian Health Service  
National Institutes of Health  
New Jersey Legislature  
Rosebud Sioux Tribe  
Social Security Administration  
Transportation Security Administration  
U.S. Department of Defense  
U.S. Department of Education  
U.S. Department of State  
U.S. Department of Transportation  
Wage and Hour Division

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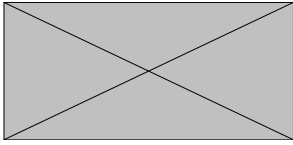
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 10/17/2018 7:27:51 AM  
**Subject:** DC Investigations Lawyer To Be New White House Counsel



**PUBLIC POLICY.**

**Wednesday, October 17, 2018**

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## TOP NEWS

### DC Investigations Lawyer To Be New White House Counsel

President Donald Trump has selected Pat A. Cipollone to replace Don McGahn as White House counsel, the president told reporters Tuesday, bringing in a well-known Washington litigator as his new top lawyer as the special counsel investigation of Russian interference in the 2016 presidential election continues unabated. [Read full article »](#)

### Trump's Rulemaking Agenda Aims To Cut \$18B In Costs

President Donald Trump's administration is set to launch another round of regulatory actions aimed at what it claims will cut costs for private industry across the country, previewing the fall unified agenda meant to cut an estimated \$18 billion in costs from the marketplace that is set to be released Wednesday. [Read full article »](#)

### CIT Orders Gov't To Issue Final Rule On Duty Drawbacks

The U.S. Court of International Trade has ordered the federal government to publish by mid-December a final rule clarifying amendments to duty drawback regulations, with the court finding that expedited issuance was needed to prevent further harm against importers. [Read full article »](#)

## IN-DEPTH

### Graphic

## The Path To Becoming A Supreme Court Advocate

A look at the careers of attorneys who have dominated oral advocacy at the U.S. Supreme Court over the last decade shows a similar path for men and women, with a few key differences. Here's how the top 10 male and female advocates stack up. (This article is part of a series examining the gender gap among high court advocates.) [Read full article »](#)

## ENERGY & ENVIRONMENTAL

### Energy Policy Goes To The Polls In Western US States

A carbon tax in Washington and renewable energy mandates in Arizona and Nevada are part of a "green wall" of ballot initiatives in western U.S. states that could have significant impacts on the energy sector, experts say. Here, Law360 highlights major energy-related state referendums headed to the polls in November. [Read full article »](#)

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## LAW FIRMS

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Axinn  
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Bartlit Beck  
Berry Appleman  
Boies Schiller  
Burns & Levinson  
Consovoy McCarthy  
Cooper & Kirk  
Dechert  
Epstein Becker Green  
Gibson Dunn  
Greenberg Traurig  
Hobbs Straus  
Hogan Lovells  
Hughes Hubbard  
Jones Day  
Kelly Hart  
Kilpatrick Townsend  
Kirkland & Ellis  
Lankler Siffert  
Lewis Brisbois  
Linklaters  
Loevy & Loevy  
Native American Rights Fund

CLV000267

## EPA Missing Deadlines On SO2 Enforcement, Enviros Say

A trio of environmental groups have filed a notice of intent to sue the U.S. Environmental Protection Agency, saying it failed to take action on state plans to reduce sulfur dioxide pollution to levels that would comply with National Ambient Air Quality Standards set in 2010. [Read full article »](#)

## Enviro Says Gov't Border Wall Docs Not Exempt From FOIA

An environmental group has asked a D.C. federal court to force the U.S. Army Corps of Engineers and U.S. Customs and Border Protection to turn over U.S.-Mexico border wall-related records prepared for President Donald Trump's transition team in the group's Freedom of Information Act suit over the records. [Read full article »](#)

## MEDIA & ENTERTAINMENT

### Ex-Trump Aide Says Gizmodo 'Ruined His Life' In \$100M Suit

Jason Miller, a former aide to President Donald Trump, filed a \$100 million defamation lawsuit against Gizmodo Media Group in Florida federal court Monday, claiming that the website Splinter "ruined his life" by running a story that he tried to slip a woman he'd impregnated an abortion pill. [Read full article »](#)

### BuzzFeed Sues For Info On Kushner, 'Liberty' Task Force

BuzzFeed lodged a pair of Freedom of Information Act suits in D.C. federal court Monday alleging the State Department won't turn over U.S. Embassy records relating to Jared Kushner and the Justice Department is withholding information about a task force created to enforce the Trump administration's controversial religious liberty guidance. [Read full article »](#)

### Trump Accused By Writers' Group Of Free Speech Violations

A literary organization filed a lawsuit in Manhattan federal court on Tuesday accusing President Donald Trump of violating the First Amendment by using the regulatory and enforcement powers of the federal government to punish journalists and media outlets. [Read full article »](#)

## REAL ESTATE

### San Jacinto River Authority Claims Immunity In Takings Row

Houston-area homeowners who allege that the San Jacinto River Authority's actions that flooded their property in the wake of Hurricane Harvey were unconstitutional "takings" have not done enough to waive governmental immunity, the agency told a Texas appellate panel in oral arguments Tuesday. [Read full article »](#)

### NJ Hospital, Jersey City Reach \$4.9M Deal Over Property Tax

A New Jersey hospital has agreed to settle a dispute over its property tax exemption in exchange for paying Jersey City \$4.9 million over an eight-year period. [Read full article »](#)

## EMPLOYMENT

### Bill Would Let Employers Pay Down Student Debt Tax-Free

U.S. workers could get help paying off their student loan debt under a Senate proposal that would allow employers to contribute thousands of dollars a year tax-free toward their employees' student loan repayments. [Read full article »](#)

## AEROSPACE & DEFENSE

### DOD Urged To Boost Oversight Of Afghan Defense Equipment

The United States has spent billions of dollars since 2002 to provide and maintain

Quinn Emanuel  
Rimon PC  
Stein Mitchell  
Stoel Rives  
Williams & Connolly  
WilmerHale

## COMPANIES

AT&T Inc.  
Amazon.com Inc.  
American Bar Association  
American Trucking Associations Inc.  
Associated Press  
Bayer AG  
Berkshire Hathaway Inc.  
BuzzFeed Inc.  
Cable News Network Inc.  
Center for Biological Diversity  
Competitive Power Ventures Holdings LLC  
Dell Technologies Inc.  
Deloitte Touche  
Digital Realty Trust Inc.  
Ennis Inc.  
Federalist Society  
Flexible Solutions International Inc.  
Fusion Media Group  
Gawker Media LLC  
General Motors  
Gizmodo Media Group LLC  
Google Inc.  
Home Box Office Inc.  
Major Lindsey & Africa  
McKesson Corp.  
Microsoft Corporation  
NBCUniversal Inc.  
NFL Enterprises LLC  
NV Energy, Inc.  
National Trust for Historic Preservation  
Natural Resources Defense Council  
Neiman Marcus Group  
New York University  
RD Legal Funding LLC  
RWJ Barnabas Health Inc.  
Sierra Club  
Sinclair Broadcast Group, Inc.  
The Boeing Company  
Tribune Media Co.  
Twitter Inc.

CLV000268

equipment for Afghan security forces, but the U.S. Department of Defense lacks the ability to effectively track how much of this equipment is being maintained and used, according to a watchdog report. [Read full article »](#)

## INTERNATIONAL TRADE

### Sens. Urge FTC To Take Harder Line On 'Made In USA' Labels

Three Senate Democrats have sent a letter to the Federal Trade Commission urging it to fully enforce its "Made in the USA" labeling standards in the wake of recent agency decisions to settle with companies that allegedly marketed foreign-made goods as domestically produced. [Read full article »](#)

## TAX

### OECD Tax Chief Hopes For Deal On Digital Tax In Few Months

Pascal Saint-Amans, the Organization for Economic Cooperation and Development's director of tax policy, expressed optimism Tuesday that a task force charged with creating recommendations on how to deal with digital tax issues would agree on "some form of recommendation" in the next few months. [Read full article »](#)

### W.Va. Urges High Court To Affirm Retirement Tax Finding

West Virginia did not violate the doctrine of intergovernmental tax immunity in exempting some state law enforcement officers' retirement benefits from taxation but not those of federally employed retirees with similar duties, the state's top law enforcement officers told the U.S. Supreme Court Tuesday. [Read full article »](#)

### Dutch To Keep Dividend Tax, Cut Corporate Rates

The Netherlands will abandon controversial plans to scrap its 15 percent levy on corporate dividends and instead spend €1.9 billion (\$2.2 billion) on company tax cuts to boost investment, the government announced Tuesday. [Read full article »](#)

## IMMIGRATION

### Sessions Grabs Another BIA Case On Bond Hearings

U.S. Attorney General Jeff Sessions will examine whether immigration judges may hold bond hearings for certain immigrants in removal proceedings, referring another Board of Immigration Appeals case over to himself for review on the issue. [Read full article »](#)

## NATIVE AMERICAN

### 9th Circ. Won't Rethink Indian Child Welfare Act Ruling

The full Ninth Circuit has declined to rethink tossing a proposed class action alleging that portions of the Indian Child Welfare Act are discriminatory and unconstitutional, standing by its decision that the dispute lodged by four children and their adoptive parents is moot because the kids were successfully adopted. [Read full article »](#)

### States Say Indian Child Welfare Act Must Be Blocked

Texas, Indiana and Louisiana and several foster families have urged a Texas federal judge to reject four tribes' request to put a hold on a recent decision that found the Indian Child Welfare Act unconstitutional, saying that the ruling is likely to stand and that a stay would leave many children "in legal limbo" until appeals in the case are over. [Read full article »](#)

### Tribes Slam FCC Small-Cell Rule At DC Circ.

A slew of Native American tribes and tribal organizations asked the D.C. Circuit to strike down a Federal Communications Commission rule that lets mobile carriers build small-cell fixtures for fifth-generation networks without consulting tribes or undergoing

Unilever Plc

Univision Communications Inc.

Washington Post Co.

## GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Citizenship and  
Immigration Services

Bureau of Indian Affairs

Bureau of Land Management

Cherokee Nation

Committee on Foreign Investment  
in the United States

Consumer Financial Protection  
Bureau

Department of Commerce

European Union

Executive Office of the President

Federal Bureau of Investigation

Federal Communications  
Commission

Federal Reserve System

Federal Trade Commission

Gila River Indian Community

Government Accountability Office

Internal Revenue Service

Michigan Department of Treasury

Morongo Band of Mission Indians

NAFTA

NATO

Navajo Nation

Quinault Indian Nation

Securities and Exchange  
Commission

U.S. Army

U.S. Attorney's Office

U.S. Customs and Border  
Protection

U.S. Department of Defense

U.S. Department of Health and  
Human Services

U.S. Department of Justice

U.S. Department of State

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Environmental Protection  
Agency

U.S. House of Representatives

U.S. Postal Service

U.S. Supreme Court

United Keetoowah Band of  
Cherokee Indians

United South and Eastern Tribes

World Trade Organization

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historic preservation and environmental reviews. [Read full article »](#)

## TELECOMMUNICATIONS

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### FCC Commissioners Support Plan To Reopen 5.9 GHz Rules

FCC Commissioners Jessica Rosenworcel and Michael O'Rielly offered bipartisan support Tuesday for a trade association's plan that would rethink the allocation of the 5.9 GHz spectrum band for automotive safety features and use it to power Wi-Fi and unlicensed devices. [Read full article »](#)

### Winning 5G Race Is 'Worthless Exercise,' Clyburn Says

Former FCC Commissioner Mignon Clyburn called winning the proverbial race to 5G a "worthless exercise" at an American University event Tuesday, saying that whether the nation is first to roll out next-generation mobile services doesn't matter as much as implementing the services wisely. [Read full article »](#)

### 99% Of Net Neutrality Comments Opposed Repeal

Nearly all of the unique comments submitted to the U.S. Federal Communications Commission in 2017 regarding its repeal of net neutrality were opposed to the move, according to a new study by Stanford University researcher Ryan Singel. [Read full article »](#)

## WHITE COLLAR

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### Energy Exec Who Hired Percoco's Wife Gets 14 Months

Energy executive Peter Galbraith Kelly Jr., who struck a plea deal after a jury split on charges that he bribed Joseph Percoco by giving his wife a "low-show" job, was sentenced to 14 months behind bars on Tuesday in a decision meant to send a warning to lobbyists across the country. [Read full article »](#)

## CIVIL RIGHTS

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### Race-Blind Admissions Harm Students, Harvard Dean Testifies

Harvard's longtime dean of admissions testified that a study by the university's own expert shows eliminating race from the student application process would result in more Asian-American students being admitted — but would lessen the quality of their education — as testimony continued Tuesday in the closely watched Boston bench trial. [Read full article »](#)

## EXPERT ANALYSIS

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### Studying The Reactions To SEC's Whistleblower Proposals

Earlier this year, the U.S. Securities and Exchange Commission proposed amendments to the rules governing its whistleblower incentive and protection program. Kathleen Massey of Dechert LLP examines the key issues raised by the public comments filed in response, and what to expect from the final rules. [Read full article »](#)

#### Series

### Trade Wars: When Trade And National Security Converge

Increasing tariffs, new scrutiny of foreign investments in U.S. companies, and export controls over "emerging and foundational" technology are part of a Trump administration strategy to advance national security objectives using economic tools. These measures are ushering in a new era of trade restrictions, say attorneys with Kirkland & Ellis LLP. [Read full article »](#)

### Can Blockchain Deliver Secure IT Solutions For Health Care?

Blockchain-powered tools may revolutionize health care by allowing providers to easily exchange medical and health records while still protecting patients' information, but



entrepreneurs must carefully consider novel legal challenges and questions, say Jonathan Gordon and Jesse Welsh-Keyser of Alston & Bird LLP. [Read full article »](#)

#### Q&A

### A Chat With Allens Pricing Chief Pier D'Angelo

In this monthly series, Amanda Brady of Major Lindsey & Africa interviews management from top law firms about the increasingly competitive business environment. Here we feature Pier D'Angelo, chief pricing and practice officer at Allens. [Read full article »](#)

## LEGAL INDUSTRY

### Axinn Enters California With SF Office, Plans To Expand

Axinn Veltrop & Harkrider LLP announced Tuesday that it has launched a new office in San Francisco, bringing its antitrust and intellectual property capabilities to the West Coast and planning to lure talent to serve its major clients in the state. [Read full article »](#)

### Berry Appleman Adds 9 Epstein Becker Immigration Attys

Berry Appleman & Leiden LLP has nabbed a 60-person immigration team from Epstein Becker Green, including nine attorneys, expanding the firm's footprint to New York City with the opening of a new Manhattan office on Monday. [Read full article »](#)

### SEC Comes Up Short In Fraud Case Against RD Legal Capital

A U.S. Securities and Exchange Commission administrative law judge on Monday shot down much of the agency's case alleging that fund manager RD Legal Capital LLC and its owner misled investors about their hedge funds' legal receivables investments, ruling that while some misrepresentations had been made, they hadn't been made with fraudulent intent. [Read full article »](#)

### Justices Asked If Sanctions Can Cover Presuit Actions

A whistleblower has asked the U.S. Supreme Court to consider whether federal courts can impose sanctions for behavior that happened before a suit was filed, saying a Tenth Circuit decision upholding sanctions against him created a circuit split. [Read full article »](#)

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Hughes Hubbard  
Jones Day  
Kelly Hart  
Kilpatrick Townsend  
Lankler Siffert  
Lewis Brisbois  
Linklaters  
Loevy & Loevy  
Native American Rights Fund  
Quinn Emanuel  
Rimon PC  
Stein Mitchell  
Stoel Rives  
Williams & Connolly  
WilmerHale

#### COMPANIES

Cable News Network Inc.  
Center for Biological Diversity  
Ennis Inc.  
Natural Resources Defense Council  
AT&T Inc.  
Amazon.com Inc.  
American Bar Association  
American Trucking Associations Inc.  
Associated Press  
Bayer AG  
Berkshire Hathaway Inc.  
BuzzFeed Inc.  
Competitive Power Ventures Holdings LLC  
Dell Technologies Inc.  
Deloitte Touche  
Digital Realty Trust Inc.  
Federalist Society  
Flexible Solutions International Inc.  
Fusion Media Group  
Gawker Media LLC  
General Motors  
Gizmodo Media Group LLC  
Google Inc.  
Home Box Office Inc.  
Major Lindsey & Africa  
McKesson Corp.  
Microsoft Corporation  
NBCUniversal Inc.  
NFL Enterprises LLC  
NV Energy, Inc.

National Trust for Historic Preservation  
Neiman Marcus Group  
New York University  
RD Legal Funding LLC  
RWJ Barnabas Health Inc.  
Sierra Club  
Sinclair Broadcast Group, Inc.  
The Boeing Company  
Tribune Media Co.  
Twitter Inc.  
Unilever Plc  
Univision Communications Inc.  
Washington Post Co.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Communications Commission  
Securities and Exchange Commission  
U.S. Attorney's Office  
European Union  
Executive Office of the President  
Federal Trade Commission  
Internal Revenue Service  
Navajo Nation  
U.S. Customs and Border Protection  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Land Management  
Cherokee Nation  
Committee on Foreign Investment in the United States  
Consumer Financial Protection Bureau  
Department of Commerce  
Federal Bureau of Investigation  
Federal Reserve System  
Gila River Indian Community  
Government Accountability Office  
Michigan Department of Treasury  
Morongo Band of Mission Indians  
NAFTA  
NATO  
Quinault Indian Nation  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of State  
U.S. Department of Transportation  
U.S. House of Representatives

U.S. Postal Service  
United Keetoowah Band of Cherokee Indians  
United South and Eastern Tribes  
World Trade Organization

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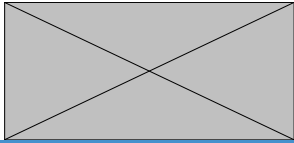
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 10/12/2017 8:17:11 AM  
**Subject:** WH Says Tax Plan Will Boost Household Incomes By \$4K



**PUBLIC POLICY.**

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Thursday, October 12, 2017

### TOP NEWS

#### WH Says Tax Plan Will Boost Household Incomes By \$4K

President Donald Trump said in a speech Wednesday that his plan to lower the U.S. business tax rate and introduce a one-time low rate to repatriate corporate earnings held overseas would likely boost the average household income by \$4,000. [Read more »](#)

#### FERC Won't Slow Down Review Of Perry's Grid Proposal

FERC on Wednesday rejected pleas to extend the comment period for Secretary of Energy Rick Perry's controversial proposal to pay coal-fired and nuclear plants for providing base load power and grid reliability services, a plan opponents claim could upend competitive wholesale power markets. [Read more »](#)

#### High Court Wary Of Feds' Water Rule Jurisdiction Argument

U.S. Supreme Court justices on Wednesday appeared skeptical of the federal government's position that challenges to a rule defining its authority under the Clean Water Act belong at the appellate rather than district court level. [Read more »](#)

#### McConnell Pushes To Speed Judicial Picks Amid Pressure

Senate Majority Leader Mitch McConnell has moved to up the pace of putting President Donald Trump's picks on the federal bench this week in the face of increasing pressure from his caucus and outside conservative groups. [Read more »](#)

#### DOJ Warrant For Anti-Trump Site Data Pared By Judge

A D.C. judge on Tuesday curtailed the federal government's search warrant seeking information on visitors to an anti-Trump website, ordering a web hosting company to redact information identifying users until the government shows cause that those users are implicated in a criminal investigation into riots during President Donald Trump's inauguration. [Read more »](#)

#### Quinn Backs Biz In Telling Justices Title VII Bars Gay Bias

Microsoft Corp., Starbucks Corp. and dozens of other businesses Tuesday urged the U.S. Supreme Court to review an Eleventh Circuit ruling that Title VII does not prohibit discrimination against gay workers, arguing with pro bono help from Quinn Emanuel Urquhart & Sullivan LLP that a circuit split on the issue hurts the economy. [Read more »](#)

### BANKING & SECURITIES

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Ballard Spahr  
Cleary Gottlieb  
DLA Piper  
Dentons  
Earthjustice  
Greenbaum Rowe  
Hall Ansley  
Haynes and Boone  
Hunton & Williams  
K&L Gates  
Kane Russell  
Kilpatrick Townsend  
Kirkland & Ellis  
Kobre & Kim  
Lathrop Gage  
Levenfeld Pearlstein  
Mayer Brown  
McDermott Will  
Motley Rice  
Norton Rose Fulbright  
Paul Hastings  
Proskauer Rose  
Quinn Emanuel  
Sanford Heisler  
Sayles Werbner  
Shapiro Arato

CLV000275

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## SEC Wants To Trim Disclosure Requirements

The U.S. Securities and Exchange Commission on Wednesday unanimously proposed to pare and streamline certain disclosure requirements of public companies, marking the agency's latest effort to prune its regulatory tree after decades of adding branches. [Read more »](#)

## Terror Liability Troubles Kennedy, Conservatives At High Court

Conservative justices on the U.S. Supreme Court sounded skeptical Wednesday that foreign corporations could be held liable for terror financing, human rights violations and other international violations under a 1789 U.S. law. [Read more »](#)

## CFTC Chair Seeks Another Delay In Lowering Swap Threshold

U.S. Commodities Futures Trading Commission Chairman Christopher Giancarlo told Congress Wednesday he will seek to delay by one year a controversial rule that would require more firms to register as swap dealers, saying the rule's complexity coupled with turnover at the CFTC make it unwise to rush. [Read more »](#)

## ENERGY & ENVIRONMENTAL

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## House Panel OKs \$36.5B Hurricane, Wildfire Relief Measure

The House Appropriations Committee advanced a \$36.5 billion hurricane and wildfire relief bill Wednesday, setting up a vote Thursday on a controversial aid package to Texas, Florida, Puerto Rico, the U.S. Virgin Islands, California and Oregon. [Read more »](#)

## Iowa Sued Over Undercover Slaughterhouse Inspection Law

Animal rights activists and free speech advocates on Tuesday sued the state of Iowa in federal court, challenging a law criminalizing undercover investigations into animal cruelty at factory farms as unconstitutional. [Read more »](#)

## HEALTH & LIFE SCIENCES

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## Pa. AG Sues Trump Over Birth Control Coverage

Pennsylvania's attorney general on Wednesday joined the American Civil Liberties Union and Democratic attorneys general from Massachusetts, Washington and California in challenging new Trump administration rules that dial back the Affordable Care Act's contraception mandate by allowing employers to claim religious or moral objections. [Read more »](#)

## NJ Judge Challenges Theory Under Menendez Bribery Trial

The New Jersey federal judge presiding over the bribery trial of Sen. Bob Menendez and a Florida ophthalmologist on Wednesday challenged the validity of the stream of benefits theory underlying the case in light of the U.S. Supreme Court's landmark McDonnell decision, foreshadowing a potential blow to the government. [Read more »](#)

## EMPLOYMENT

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## Missouri Hospital Gets Doc's Whistleblower Trial Win Nixed

A Missouri state appellate court reversed a jury verdict in favor of a doctor who claimed she had been fired for reporting a fellow doctor's alleged misconduct, ruling that the conduct the doctor reported was itself protected by state law and that the doctor thus could not be considered a whistleblower. [Read more »](#)

## PRIVACY & CYBERSECURITY

## COMPANIES

ATS Corporation  
American Bar Association  
American Civil Liberties Union  
American Israel Public Affairs Committee  
American Petroleum Institute Inc.  
American Wind Energy Association  
Apple Inc.  
Association of Corporate Counsel  
CTIA  
Center for Biological Diversity Inc.  
Competitive Carriers Association  
Crop Production Services Inc.  
Google Inc.  
Hormel Foods Corporation  
Lambda Legal Defense & Educational Fund  
Lehman Brothers Holdings Inc.  
Levi Strauss & Co.  
Microsoft Corporation  
National Association of Manufacturers  
National Retail Federation Inc.  
New York Times Co.  
Royal Dutch Shell PLC  
S&P Global Inc.  
Sierra Club  
Starbucks Corporation  
T-Mobile USA Inc.  
TW Liquidation Corp.  
Twitter Inc.  
U.S. Chamber of Commerce

## GOVERNMENT AGENCIES

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Choctaw Nation of Oklahoma  
Commodity Futures Trading Commission  
Congressional Research Service  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Emergency Management Agency  
Federal Energy Regulatory Commission  
National Institute of Standards and Technology

## Feds Walk Fine Line On Internet Of Things Security, Rep. Says

The Democratic co-chair for the Congressional Cybersecurity Caucus said at an "internet of things" event Wednesday that while public-private partnerships should facilitate, rather than mandate, safeguards for connected devices, the federal government will step in when those devices are compromised or malfunction. [Read more »](#)

## Deputy AG Slams Tech Giants For 'Warrant-Proof' Encryption

Deputy Attorney General Rod Rosenstein on Tuesday blasted major U.S. technology companies for building products with encryption that law enforcement can't circumvent even with a search warrant, questioning why they "make accommodations" for other foreign governments and saying that trying to find middle ground "is unlikely to work." [Read more »](#)

## House OKs Bills To Help Small Cos. Fight Cyber Threats

The House of Representatives approved a pair of bills Wednesday that increase government resources to help small businesses conduct research and beef up their cybersecurity. [Read more »](#)

## AEROSPACE & DEFENSE

### Trump Names Kirstjen Nielsen As DHS Secretary

President Donald Trump on Wednesday announced that he will nominate Kirstjen Nielsen, the White House principal deputy chief of staff, to head the Department of Homeland Security. [Read more »](#)

### USS McCain's Top 2 Officers Out Over 'Preventable' Crash

The U.S. Navy reassigned the USS John S. McCain's top two officers on Tuesday, saying that the ship's deadly August collision with an oil tanker near Singapore was "preventable" and that the service had lost confidence in their leadership abilities. [Read more »](#)

### ACLU Sues Over Kansas Law Against Boycotts Of Israel

The American Civil Liberties Union alleged in Kansas federal court Wednesday that a state law preventing contractors from boycotting Israel violates the First Amendment by stymieing political expression. [Read more »](#)

## TAX

### Builder Entitled To Abatement Law Update, NJ Justices Told

A New Jersey developer urged the state's highest court on Wednesday to apply a 2003 state law amendment allowing builders to reap more profits from city tax abatement deals to agreements it struck with Jersey City in 2000 and 2001, arguing the Legislature intended for the law to work retroactively. [Read more »](#)

## IMMIGRATION

### DOJ, State Dept. Unite To Fight Visa Fraud, Discrimination

The U.S. Department of Justice and the State Department said they have teamed up to fight fraud by employers who misuse certain foreign worker visas and to protect domestic employees from discrimination. [Read more »](#)

## NATIVE AMERICAN

### Tribes Ask 10th Circ. To Rethink Immunity In HUD Suit

Several Native American tribes urged the Tenth Circuit to rethink its decision that the tribes can't collect on \$19.5 million in affordable housing grants the U.S. Department

National Science Foundation  
Securities and Exchange Commission  
Small Business Administration  
Transportation Security Administration  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Navy  
U.S. Office of Government Ethics  
U.S. Senate  
U.S. Supreme Court

of Housing and Urban Development illegally recouped, saying the department waived its sovereign immunity to the tribes' bid for the funds. [Read more »](#)

## TELECOMMUNICATIONS

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### **Carriers Assoc. Urges Flexibility For FCC Spectrum Metrics**

As the Federal Communications Commission mulls changes to how certain underused spectrum is relicensed, the Competitive Carriers Association on Tuesday suggested a more straightforward application process and urged the agency to be more flexible with coverage analytics. [Read more »](#)

## PEOPLE

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### **Trump Ambassador Pick Earned \$2.8M At Dentons In 18 Mos.**

President Donald Trump's nominee for ambassador to Luxembourg made nearly \$3 million in an 18-month period as a partner at Dentons, a newly released financial disclosure form shows. [Read more »](#)

## EXPERT ANALYSIS

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### **Preparing For NYC's New Salary History Law**

Recent guidance from the New York City Commission on Human Rights clarifies several aspects of the city's new salary history law that takes effect this month, including its application in the context of corporate acquisitions, say attorneys with Cleary Gottlieb Steen & Hamilton LLP. [Read more »](#)

### **Why You Should Consider Hyperlinking Your Next Brief**

The shift to electronic filing has somewhat eased the task of reviewing briefs and their supporting files. An e-brief takes e-filing to the next level, says Christine Falcicchio, a principal at Strut Legal Inc. [Read more »](#)

## LEGAL INDUSTRY

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### **Analysis**

#### **How The Recession Shaped Law Firm Billing**

The relationship between law firms and their corporate clients shifted substantially with the onset of the Great Recession in 2007, and a decade later many of those changes appear to be here to stay. Here, Law360 looks at one major way the legal industry has been affected. [Read more »](#)

#### **Chadbourn Hits Back At Partner Behind Gender Bias Suit**

The former Chadbourne & Parke LLP partner behind a proposed sex discrimination class action against the firm "engaged in a nationwide smear campaign" to pressure it and other would-be bias defendants into settling, the firm charged Tuesday in a counterclaim in New York federal court. [Read more »](#)

### **Series**

#### **What I Learned In My 1st Year: Listen Carefully, Speak Up**

When I graduated from law school, I landed at an old-line firm in the Golden Triangle of Texas. Two significant things happened to me around that time. One pertained to learning to listen, and the other pertained to refusing to participate in what I heard, says Marcy Rothman of Kane Russell Coleman Logan PC. [Read more »](#)

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Levenfeld Pearlstein  
Mayer Brown  
McDermott Will  
Motley Rice  
Paul Hastings  
Proskauer Rose  
Quinn Emanuel  
Sanford Heisler  
Sayles Werbner  
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Simpson Tillinghast

#### COMPANIES

American Civil Liberties Union  
Twitter Inc.  
Microsoft Corporation  
ATS Corporation  
American Bar Association  
American Israel Public Affairs Committee  
American Petroleum Institute Inc.  
American Wind Energy Association  
Apple Inc.  
Association of Corporate Counsel  
CTIA  
Center for Biological Diversity Inc.  
Competitive Carriers Association  
Crop Production Services Inc.  
Google Inc.  
Hormel Foods Corporation  
Lambda Legal Defense & Educational Fund  
Lehman Brothers Holdings Inc.  
Levi Strauss & Co.  
National Association of Manufacturers  
National Retail Federation Inc.



New York Times Co.  
Royal Dutch Shell PLC  
S&P Global Inc.  
Sierra Club  
Starbucks Corporation  
T-Mobile USA Inc.  
TW Liquidation Corp.  
U.S. Chamber of Commerce

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
European Union  
Federal Communications Commission  
Securities and Exchange Commission  
Small Business Administration  
U.S. Senate  
Army Corps of Engineers  
Choctaw Nation of Oklahoma  
Commodity Futures Trading Commission  
Congressional Research Service  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Emergency Management Agency  
Federal Energy Regulatory Commission  
National Institute of Standards and Technology  
National Science Foundation  
Transportation Security Administration  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Jon Ralston  
**Sent:** Fri 8/17/2018 4:43:01 PM  
**Subject:** Ralston Reports -- Morning Flash, 8/17/18

8.17.2018

This dispatch prepared for .

DAYS UNTIL EARLY VOTING  
BEGINS FOR THE 2018  
GENERAL ELECTION: 64

DAYS UNTIL THE 2018  
GENERAL ELECTION: 81

DAYS UNTIL THE 2019  
LEGISLATURE BEGINS: 171

Good morning, everyone. Ever have that feeling when you are going on vacation that your mind is already there? That's where I am today, but duty to my dear Flashees is paramount. So good stuff, as always....

-----

What's below: Brian Sandoval nuggets, Morning Flash and a trivia question about a man who went to prison.  
(And movie trivia!)

#### COMING UP

There will be no Flash next week, and no premium content the next two weekends. I am going off the grid  
(none of your business) to prepare for the campaign stretch run.

#### A COUPLE OF BRIAN SANDOVAL NUGGETS

Nugget No. 1 -- [The unkindest cut of all](#). Check out what my insiders said Sunday -- some thought he might do a tepid endorsement but most said no. And he first hinted at this last year during our IndyTalks when he said he couldn't endorse anyone who would reverse what he has achieved. Sandoval on the sidelines is bad news for Laxalt, although this is not a surprise.

Nugget No. 2 -- Interesting that the gov couldn't make it to the Raiders event. More interesting that Reno Mayor Hillary Schieve said nice things about him. No endorsement but foreshadowing?

#### A COUPLE OF MORNING FLASH NUGGETS

Nugget No. 1 -- [In the land of the blind](#)....

Nugget No. 2 -- [Hidin' Heller](#): "And vulnerable incumbent Sen. Dean Heller (R-Nev.) refused to talk about the lawsuit on Thursday, though his office said he support pre-existing condition protections."

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**A MESSAGE FROM MGM RESORTS INTERNATIONAL:** Xernona Clayton, who broke race and gender barriers in national broadcast TV and worked closely with Dr. Martin Luther King, Jr. to end racial inequality in America, will talk about her life and experiences at the 2018 Women's Leadership Conference (WLC) Aug. 27-28 at MGM Grand Las Vegas. The annual conference, in its 12th year, provides women with professional development opportunities and training to advance their careers. Proceeds from WLC 2018 will benefit local nonprofits that serve women and children. Registration is selling out; for more information, visit <http://www.mgmresortsfoundation.org/wlc>.

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#### TRIVIA QUESTION OF THE DAY

CLV000282

This is the birthdate of one of the most influential men in Nevada history whose career ended when he went to prison for an offense that generally draws a fine. Who?

Thursday's winner: R&R's Jim Penrose

The question: Perhaps the most powerful private citizen in the history of Nevada, one who achieved that status by the age of 30, was born on this day in Arkansas. Who?

The answer: George Wingfield

**MOVIE TRIVIA QUESTION OF THE WEEK**

Name the actor and the movies: He gets killed in the end after cheating death once before; he plays part of a trio of fugitives; he plays a mentor who will not give his protege a loan; he played a whistleblower in a huge TV scandal.

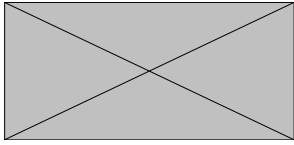
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 8/3/2017 8:36:23 AM  
**Subject:** Trump Pushes Points-Based Immigration System Bill



**PUBLIC POLICY.**

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**Thursday, August 3, 2017**

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## TOP NEWS

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### **Trump Pushes Points-Based Immigration System Bill**

President Donald Trump on Wednesday joined two Republican senators to tout a bill that targets family-based immigration and seeks to create an immigration points system, while also capping annual permanent residency numbers for refugees and ending the diversity visa lottery. [Read more »](#)

#### **Analysis**

### **Dems' 'Better Deal' Antitrust Plan Would Entail Sea Change**

House and Senate Democrats have proposed to crack down on market concentration as part of a recently released policy agenda, but putting the proposals in place would likely require not only sympathetic advocates in all three branches of government but a significant shift in the attitudes of antitrust practitioners and the public. [Read more »](#)

### **Trump Enacts Russian Sanctions, Calls Law 'Unconstitutional'**

President Donald Trump signed legislation into law Wednesday that imposes sanctions on Russia and curtails his ability to remove them, labeling as "unconstitutional" certain provisions that he claims step on a president's authority. [Read more »](#)

#### **Analysis**

### **3 Questions Environmental Attorneys Have About The ESA**

The Endangered Species Act gives the federal government powerful tools to protect animals and plants in danger of extinction, and the Obama administration took steps to use the ESA to beef up safeguards against negative environmental impacts from energy projects and protections for species that aid crop development. But under the Trump administration, how the ESA will be applied is uncertain. This is the fourth in a seven-part series on important open questions about environmental law. [Read more »](#)

### **Senate Approves Trump Republican Pick For NLRB**

The Senate passed President Donald Trump's first pick for the National Labor Relations Board Wednesday, the first step toward a potential Republican majority on the board that could endanger a number of Obama-era decisions. [Read more »](#)

#### **Analysis**

### **Regulators Will Have Room To Run On Volcker Rewrite**

A Wednesday announcement from a federal banking regulator set the ball rolling on a reshaping of the Volcker Rule, and experts say that big changes could come to the Dodd-Frank Act's ban on proprietary trading without any change in legislation. [Read more »](#)

### **DOJ's Antitrust Unit Gets Deputy For International Affairs**

The U.S. Department of Justice's Antitrust Division has added an international trade and antitrust expert to its front office roster, with Notre Dame Law School professor

[Listen to our new podcast here](#)

#### **LAW FIRMS**

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Altshuler Berzon  
Armstrong Teasdale  
Arnold & Porter Kaye Scholer  
Baker Donelson  
BakerHostetler  
Bartlit Beck  
Bereskin & Parr  
Beveridge & Diamond  
Bradley Arant  
Carlton Fields  
Carrington Coleman  
Chambliss Bahner  
Connell Foley  
Covington & Burling  
Cravath Swaine  
Crowell & Moring  
Davis Polk  
Debevoise & Plimpton  
Dorsey & Whitney  
Drinker Biddle  
Epstein Becker Green  
Eversheds Sutherland  
Fine Kaplan  
Finnegan  
Fish & Richardson  
Gibson Dunn  
Gordon & Rees  
Haynes and Boone  
Herssein Law Group  
Hogan Lovells  
Holland & Hart  
Holland & Knight

CLV000284

Roger Alford joining the watchdog to handle international affairs. [Read more »](#)

## BANKING & SECURITIES

### Analysis

#### Is SEC Targeting Political Spenders In Disclosure Reviews?

A recently published academic paper found the U.S. Securities and Exchange Commission's Division of Corporation Finance is more likely to issue comment letters and give extra scrutiny to the filings of public companies that spend money on lobbying and political contributions, but experts cautioned it's unlikely the agency is consciously coming down harder on political spenders. [Read more »](#)

#### OCC Begins Volcker Rule Rewrite Process

A federal banking regulator on Wednesday opened the process of making changes to the Volcker Rule, beginning in earnest the Trump administration's plan to roll back some Obama-era financial regulations. [Read more »](#)

## ENERGY & ENVIRONMENTAL

#### Feds Want Enviros' ESA Suit Over Minn. Forest Scrapped

The U.S. Forest Service and other federal agencies on Tuesday asked a D.C. district judge for a quick win in a suit accusing them of violating the Endangered Species Act by using an outdated biological review to approve projects that environmental groups say could harm animals in Minnesota's Superior National Forest, saying the groups lack standing. [Read more »](#)

## IP & TECHNOLOGY

### Analysis

#### Trump Eyeing Another Novel Approach To Muscle China On IP

The Trump administration has not been shy about getting creative with its enforcement of U.S. trade laws, and it appears poised to do so again by reviving a largely dormant statute to crack down on China's alleged flouting of U.S. tech companies' intellectual property rights in a move that will win no favors with Beijing. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

#### Seattle Defeats Challenge To Uber Driver Union Law

A Washington federal judge tossed the U.S. Chamber of Commerce's challenge to Seattle's ordinance letting Uber and Lyft drivers unionize, saying Tuesday it is not preempted by federal antitrust law and upending the business coalition's hard-fought efforts to prevent independent contractors from banding together as a union. [Read more »](#)

#### Disabled Vets Sue DOT Over Wheelchair Rule's Abrupt Delay

Paralyzed Veterans of America has filed suit in D.C. federal court against the U.S. Department of Transportation for rolling back a rule intended to make airline travel safer and easier for disabled passengers, accusing the government of abruptly delaying the rule without seeking input from people with disabilities. [Read more »](#)

## REAL ESTATE

### Analysis

#### Consensus Forming On Housing Credits, But Hurdles Remain

The Senate Finance Committee's hearing Tuesday on affordable housing was a promising sign that low-income housing tax credits may reach a broader swath of

Hopkins & Carley  
Hunton & Williams  
Jackson Lewis  
Jackson Walker  
Jenner & Block  
Jones Day  
Jones Walker  
K&L Gates  
Kellogg Hansen  
King & Spalding  
Kirkland & Ellis  
Knobbe Martens  
Levy Thompson  
Lewis Rice  
Littler Mendelson  
Locke Lord  
Lowenstein Sandler  
Maraziti Falcon  
McGuireWoods  
Morgan Lewis  
Nixon Peabody  
Norton Rose Fulbright  
Orrick Herrington  
Osler Hoskin  
Paul Hastings  
Paul Weiss  
Perkins Coie  
Petrillo Klein  
Pillsbury Winthrop  
Reed Smith  
Ropes & Gray  
Schiff Hardin  
Seyfarth Shaw  
Sheppard Mullin  
Shutts & Bowen  
Sidley Austin  
Simpson Thacher  
Skadden  
Squire Patton Boggs  
Stark & Stark  
Stempel Bennett  
Stinson Leonard  
Stoel Rives  
Stroock & Stroock  
Susman Godfrey  
Weil Gotshal  
White & Case  
Wiggin and Dana  
Wiley Rein  
Williams & Connolly  
WilmerHale

affordable housing developments, with one bill garnering bipartisan support, although the question of funding for the program is still a major unknown, lawyers say. [Read more »](#)

### **NJ Panel Says City Unlawfully Stalled Developer's Plan**

The New Jersey Appellate Division on Wednesday ruled that the city of Hoboken wrongfully used pending litigation as an excuse to delay a developer's application to modify a high-rise residential complex plan, affirming a trio of orders in favor of a major Hudson River development. [Read more »](#)

## **EMPLOYMENT**

### **Justices Told 10th Circ. Case Boosts DOL Tip Pool Challenge**

Restaurant trade groups have told the U.S. Supreme Court that a June ruling by the Tenth Circuit invalidating a U.S. Department of Labor regulation barring employers from including nontipped workers in tip pools backs their contention that a Ninth Circuit ruling upholding the rule should be overturned. [Read more »](#)

### **Democrats Float Higher Penalties To Fight Wage Theft**

A group of Democratic lawmakers on Tuesday announced legislation that would amend the Fair Labor Standards Act by creating tougher penalties for employers who don't pay their workers all the wages they are owed. [Read more »](#)

## **PRIVACY & CYBERSECURITY**

### **Senate Bill Would Up Internet Of Things Device Security**

Four U.S. senators on Tuesday introduced bipartisan legislation that aims to boost the security of devices connected to the growing internet of things by forcing manufacturers that sell these products to the government to meet several minimum security requirements, including ensuring that their devices are patchable and don't use hard-coded passwords. [Read more »](#)

#### **Analysis**

### **Texas Lawyers See 'Bathroom Bill' As Bad For Business**

Texas law firms are concerned about backlash from both potential new talent and from national clients if state lawmakers pass a controversial bill governing which bathrooms transgender people can use, lawyers say. [Read more »](#)

### **State AGs Press High Court To Take On Microsoft Warrant Row**

A bipartisan coalition of nearly three dozen state attorneys general has urged the U.S. Supreme Court to review the Second Circuit's refusal to allow the federal government to access consumer data stored overseas by service providers such as Microsoft, arguing that the ruling is allowing businesses to unfairly dodge an obligation to cooperate in criminal probes. [Read more »](#)

### **Sens. Demand Info About Law Enforcement Use Of Stingrays**

A bipartisan group of senators asked the U.S. Department of Justice on Tuesday to cough up more details about how the so-called Stingray devices it uses work and how the general public is affected, saying the courts need to be fully informed in order to best supervise law enforcement's use of this technology to track cellphone locations. [Read more »](#)

## **AEROSPACE & DEFENSE**

### **Senate Approves Trump Navy Secretary, Other DOD Picks**

President Donald Trump now has a suite of new Defense Department officials, after a Senate vote Tuesday to approve the new Navy secretary and the Pentagon's top procurement official. [Read more »](#)

Wilson Sonsini  
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#### **COMPANIES**

AT&T Inc.  
Adidas AG  
Air Transport Association of America  
Altman Weil Inc.  
Amazon.com Inc.  
American Airlines Group Inc.  
American Bar Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Legislative Exchange Council  
Apple Inc.  
Association of Corporate Counsel  
BTI Consulting Group Inc.  
Center for Biological Diversity Inc.  
Chevron Corporation  
Cloudflare Inc.  
CoStar Group, Inc.  
CohnReznick LLP  
Competitive Enterprise Institute  
ConocoPhillips  
Daimler AG  
Deloitte Touche  
Deutsche Bank AG  
Dow Chemical Co.  
Electronic Privacy Information Center  
Exxon Mobil Corporation  
Facebook  
Financial Industry Regulatory Authority Inc.  
Google Inc.  
Intercontinental Exchange Inc.  
International Brotherhood of Teamsters  
International Business Machines Corporation  
LinkedIn Corp.  
Lockheed Martin  
Lyft Inc.  
Microsoft Corporation  
National Restaurant Association  
National Right to Work Legal Defense Foundation  
New York University  
PAREXEL International Corporation



## Analysis

### GAO Move Not Likely To Deter Military Partnerships

A recent Government Accountability Office decision may give U.S. Department of Defense officials pause in pursuing contracts for “installation support services” between military bases and local governments, but it’s unlikely to slow momentum for projects that advocates say save taxpayer dollars. [Read more »](#)

### Senate Passes \$2.1B Extension To Veterans Choice Fund

The U.S. Senate on Tuesday gave final approval to a bill injecting \$2.1 billion into the Veterans Choice Fund, which allows veterans faced with long distances from VA facilities to seek care through private community providers, with the measure heading to the president’s desk amid efforts in the chamber to close shop for the summer recess. [Read more »](#)

### Iran Says Space Sanctions Violate Nuclear Deal

Iran on Tuesday said it had filed a formal complaint over new U.S. sanctions imposed after a recent space launch, saying they violated the 2015 deal in which it agreed to curb its nuclear weapons program in exchange for the easing of international sanctions. [Read more »](#)

## INTERNATIONAL TRADE

### Skadden Partner Tapped For Trade Post Made \$2.3M At Firm

A Skadden Arps Slate Meagher & Flom LLP attorney tapped by President Donald Trump to serve as a deputy U.S. trade representative earned \$2.325 million from his partnership share in around 16 months, according to a financial disclosure form obtained Wednesday by Law360. [Read more »](#)

### Senate Dems To Push New Trade Policy

Senate Democrats aim to push for more domestic labor protections through both tax laws and the nation’s international trade deals, in a policy proposal announced on Wednesday. [Read more »](#)

## TAX

### CPA Group Targets 4 Of 8 Tax Regulations Eyed For Repeal

The American Institute of CPAs pressed the IRS on Wednesday to scrap or redo four of eight Obama-era tax regulations identified by the U.S. Department of the Treasury as facing potential rescindment or modification under a presidential executive order seeking to simplify the tax code. [Read more »](#)

### Securities Broker, Indirect Owner Distinct Under NY Tax Law

An entity that has an indirect interest in a securities broker-dealer cannot itself be treated as a broker-dealer for tax purposes in New York, according to guidance released Wednesday from the state’s Department of Taxation and Finance. [Read more »](#)

## IMMIGRATION

### Trump Admin Seeks To Solidify Extra Visa Vetting Form

The Trump administration is seeking to make permanent a new visa vetting questionnaire that asks selected applicants for social media user names, travel history and other biographical information, according to a document being published Thursday. [Read more »](#)

### Immigration Judges Get Warning On Rescheduling Cases

Citing a crushing backlog of cases, the country’s top immigration judge has warned immigration courts not to routinely allow for delays in cases, otherwise known as continuances, unless there’s a good reason. [Read more »](#)

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Progenics Pharmaceuticals Inc.  
Southwest Airlines Co.  
State Bar of Texas  
Symantec Corporation  
TechFreedom  
Texas Instruments Inc.  
Textron Inc.  
Toll Brothers Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Uber Technologies Inc.  
United Services Automobile Association  
United States Steel Corporation  
United Steelworkers  
Verizon Communications  
Wells Fargo & Co.  
Yahoo! Inc.

## GOVERNMENT AGENCIES

Central Command  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Department of Commerce  
Equal Employment Opportunity Commission  
European Union  
Executive Office for Immigration Review  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Reserve System  
Federal Trade Commission  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Government Accountability Office  
Internal Revenue Service  
International Trade Commission  
NAFTA  
National Highway Traffic Safety Administration  
National Labor Relations Board  
Occupational Safety and Health Administration  
Occupational Safety and Health Review Commission



## TELECOMMUNICATIONS

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### Senate Commerce Committee Approves Pai, 2 Picks At FCC

The U.S. Senate Committee on Commerce, Science, and Transportation waved forward nominations for two Federal Communications Commission leaders and approved the renomination of the agency's current chairman Wednesday. [Read more »](#)

### Online Sex Trafficking Bill Draws Flak From Silicon Valley

A bipartisan group of Senators introduced legislation Tuesday aimed at making it easier to hold websites like Backpage.com liable for sex trafficking, drawing immediate opposition from internet giants like Google and Facebook. [Read more »](#)

## EXPERT ANALYSIS

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### Series

#### 15 Years Of SOX: A Whistleblower Promise Unfulfilled

Our practice consists primarily of representing whistleblowers under the Sarbanes-Oxley Act, and we have found that even at senior levels of a company, whistleblowers suffer swift and severe retaliation, say Jason Zuckerman and Matthew Stock of Zuckerman Law. [Read more »](#)

#### A Glimpse Into DOJ's New Health Care Enforcement Initiative

Recently, the U.S. Department of Justice announced to great fanfare its eighth annual national health care fraud "takedown." Peeling back the layers of hyperbole, the "takedown" provides a helpful window into current health care-related investigative priorities of the DOJ, U.S. Department of Health and Human Services Office of Inspector General and FBI, say Melissa Jampol and George Breen of Epstein Becker Green. [Read more »](#)

#### Proposed Illinois Data Privacy Laws May Be Problematic

Illinois is moving forward with legislation that will bolster its reputation for having the nation's strictest data privacy laws. But the pending bills might stifle e-commerce while providing little relief to consumers, say Debra Bernard and Daniel Burley of Perkins Coie LLP. [Read more »](#)

#### How Highly Automated Vehicles Will Drive Legal Change

When highly automated vehicles are prevalent on the road there will be at least three major areas in which risk allocation associated with automobiles will change: litigation, contracting and regulation, say Jason McCarter and Tracey Ledbetter of Eversheds Sutherland. [Read more »](#)

### Weekly Column

#### Innovating For Wise Juries: Closing Argument

In the final article in this series on proposed innovations to the American jury trial, Stephen Susman, Richard Lorren Jolly and Dr. Roy Futterman of the NYU School of Law Civil Jury Project sum up the improvements they believe the U.S. jury system desperately needs. [Read more »](#)

## LEGAL INDUSTRY

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### The 8 Law Firms With The Best Associates

Corporate clients have a sweet spot for the associates at eight law firms, nodding to those firms' associates as top-notch more often than any other player in the industry, according to a report out Wednesday. Here, find out which firms have the best associates, in the minds of clients. [Read more »](#)

### 4 Skills That Lead Associates To Success

Law firms can set themselves apart from the competition by impressing clients with standout associates, according to a report out Wednesday, which advises firms to

Office of Foreign Assets Control  
Office of the Comptroller of the Currency  
Office of the U.S. Trade Representative  
Securities and Exchange Commission  
TRICARE  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. Forest Service  
U.S. Marine Corps  
U.S. Office of Government Ethics  
U.S. Senate  
U.S. Supreme Court  
United Nations  
World Trade Organization

focus on four key strategies to promote associate success. [Read more »](#)

### **Employment Rate, Salaries For Law Grads Are Up, Study Says**

Median salaries and employment rates for new law school graduates are on the rise, a study from the National Association for Law Placement shows, all the while the graduating class size and the actual numbers of jobs obtained continues to decline. [Read more »](#)

#### **Analysis**

### **Microsoft's Embrace Of Alternative Fees Shows Wider Trend**

The announcement last week that Microsoft Corp. would shift 90 percent of its legal work to alternative fee arrangements within two years reflects a wider trend of large companies embracing nontraditional pricing and sounds another death knell for the billable hour. [Read more »](#)

#### **Analysis**

### **Fla. Court Weighs Judge DQ Over Atty Facebook Friendship**

A Florida appeals court is weighing a request to disqualify a judge for being Facebook friends with an attorney involved in a suit over which she presided, a case that might help clarify murky issues around what experts say is an increasingly common occurrence. [Read more »](#)

### **Ex-Armstrong Teasdale Partner's Age Bias Suit Moves Ahead**

A former Armstrong Teasdale LLP equity partner suing the firm over its mandatory retirement policy can continue to press age discrimination claims, after a Missouri federal judge on Tuesday ruled his suit was filed in a timely fashion. [Read more »](#)

### **Ex-US Atty Faces Felony Over Allegedly Stalking Ex-Girlfriend**

A former U.S. attorney in Georgia is facing a potential felony charge after allegedly violating a series of protective orders by following an ex-girlfriend while she walked her dog, emailing her friends and family, and tracking her down while driving on a highway, according to court papers. [Read more »](#)

### **Plaintiffs Bar Perspective: Fine Kaplan's Roberta Liebenberg**

Historically, lead counsel for both plaintiff classes and defendants in class actions have been overwhelmingly male. Fortunately, an increasing number of judges have begun to take steps to ameliorate the long-standing gender imbalance. Hopefully this trend will continue, says Roberta Liebenberg of Fine Kaplan and Black RPC. [Read more »](#)

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Orrick Herrington  
Paul Weiss  
Perkins Coie  
Ropes & Gray  
Sidley Austin

Skadden  
Wiley Rein  
Akin Gump  
Allen & Overy  
Altshuler Berzon  
Armstrong Teasdale  
Arnold & Porter Kaye Scholer  
Baker Donelson  
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Chambliss Bahner  
Connell Foley  
Crowell & Moring  
Davis Polk  
Debevoise & Plimpton  
Dorsey & Whitney  
Drinker Biddle  
Epstein Becker Green  
Fine Kaplan  
Finnegan  
Gibson Dunn  
Gordon & Rees  
Haynes and Boone  
Herssein Law Group  
Hogan Lovells  
Hopkins & Carley  
Hunton & Williams  
Jackson Lewis  
Jackson Walker  
Jenner & Block  
Jones Walker  
K&L Gates  
Kellogg Hansen  
Kirkland & Ellis  
Knobbe Martens  
Levy Thompson  
Lewis Rice  
Littler Mendelson  
Locke Lord  
Lowenstein Sandler  
Maraziti Falcon  
McGuireWoods  
Nixon Peabody  
Norton Rose Fulbright  
Osler Hoskin  
Paul Hastings  
Petrillo Klein

Pillsbury Winthrop  
Reed Smith  
Schiff Hardin  
Seyfarth Shaw  
Sheppard Mullin  
Shutts & Bowen  
Simpson Thacher  
Squire Patton Boggs  
Stark & Stark  
Stempel Bennett  
Stinson Leonard  
Stoel Rives  
Stroock & Stroock  
Susman Godfrey  
Weil Gotshal  
White & Case  
Wiggin and Dana  
Williams & Connolly  
WilmerHale  
Wilson Sonsini  
Zuckerman Law

#### COMPANIES

Google Inc.  
BTI Consulting Group Inc.  
Facebook  
Microsoft Corporation  
Twitter Inc.  
AT&T Inc.  
Turner Broadcasting System Inc.  
Adidas AG  
Air Transport Association of America  
Altman Weil Inc.  
Amazon.com Inc.  
American Airlines Group Inc.  
American Bar Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Legislative Exchange Council  
Apple Inc.  
Association of Corporate Counsel  
Center for Biological Diversity Inc.  
Chevron Corporation  
Cloudflare Inc.  
CoStar Group, Inc.  
CohnReznick LLP  
Competitive Enterprise Institute  
ConocoPhillips  
Daimler AG  
Deloitte Touche  
Deutsche Bank AG

Dow Chemical Co.  
Electronic Privacy Information Center  
Exxon Mobil Corporation  
Financial Industry Regulatory Authority Inc.  
Intercontinental Exchange Inc.  
International Brotherhood of Teamsters  
International Business Machines Corporation  
LinkedIn Corp.  
Lockheed Martin  
Lyft Inc.  
National Restaurant Association  
National Right to Work Legal Defense Foundation  
New York University  
PAREXEL International Corporation  
PayPal Inc.  
Progenics Pharmaceuticals Inc.  
Southwest Airlines Co.  
State Bar of Texas  
Symantec Corporation  
TechFreedom  
Texas Instruments Inc.  
Textron Inc.  
Toll Brothers Inc.  
U.S. Chamber of Commerce  
Uber Technologies Inc.  
United Services Automobile Association  
United States Steel Corporation  
United Steelworkers  
Verizon Communications  
Wells Fargo & Co.  
Yahoo! Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
Executive Office of the President  
Federal Bureau of Investigation  
Securities and Exchange Commission  
U.S. Supreme Court  
U.S. Department of Labor  
Federal Communications Commission  
Federal Trade Commission  
Government Accountability Office  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Federal Deposit Insurance Corp.  
Federal Reserve System  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Office of the Comptroller of the Currency  
Office of the U.S. Trade Representative  
U.S. Department of Homeland Security

U.S. Department of the Treasury  
U.S. Senate  
World Trade Organization  
Central Command  
Department of Commerce  
Equal Employment Opportunity Commission  
European Union  
Executive Office for Immigration Review  
Internal Revenue Service  
International Trade Commission  
NAFTA  
National Highway Traffic Safety Administration  
National Labor Relations Board  
Occupational Safety and Health Administration  
Occupational Safety and Health Review Commission  
Office of Foreign Assets Control  
TRICARE  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Transportation  
U.S. Forest Service  
U.S. Marine Corps  
U.S. Office of Government Ethics  
United Nations

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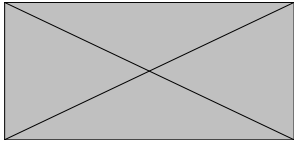
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**From:** Public Policy Law360  
**Sent:** Thur 7/13/2017 8:23:58 AM  
**Subject:** EXCLUSIVE: Justice Breyer On Changing His Mind And Sparring With Scalia



**PUBLIC POLICY.**

Thursday, July 13, 2017

## SUPREME COURT

### EXCLUSIVE: Justice Breyer On Changing His Mind And Sparring With Scalia

Justice Stephen Breyer discusses the extent to which oral arguments can influence his thinking and recalls his many debates with the late Justice Antonin Scalia, in the second of two articles based on an exclusive interview. [Read more »](#)

## TOP NEWS

### Senate Confirms Trump's First New District Judge

President Donald Trump has filled the first district court seat of his administration, following a Senate vote Wednesday confirming Idaho state Judge David C. Nye's nomination to a district court seat there. [Read more »](#)

### FBI Chief Pick Pledges Independence At Senate Panel

President Donald Trump's pick to lead the FBI pledged independence from the administration before a Senate panel Wednesday, as well as made a promise to support former FBI Director Robert Mueller as special counsel. [Read more »](#)

#### Analysis

### CFPB Rule Opens Door To Total Ban On Arbitration Clauses

The Consumer Financial Protection Bureau's recent rule-making eliminating class action bans in mandatory arbitration agreements also includes a provision that could give the bureau the raw data it was previously unable to gather to ban arbitration clauses altogether, experts say. [Read more »](#)

### Trump Tax Plan A Boon To 1%, Drag On Economy, Says Report

Even with its proposed offsets, the Trump administration's aggressive tax cut proposals will overwhelmingly benefit the top 1 percent of the country's earners and act as a massive drag on the economy, according to an unflattering new report released Wednesday by a nonpartisan think tank. [Read more »](#)

#### Analysis

### Trump Puts China Under Microscope With WTO Envoy Nom

President Donald Trump's surprise move to nominate veteran China hawk Dennis C. Shea as the top U.S. envoy to the World Trade Organization signals the administration's likely intent to use the WTO as yet another forum for exerting more commercial pressure on Beijing. [Read more »](#)

### House Passes Reauthorization Of FDA User Fees

The House of Representatives on Wednesday passed a bill reauthorizing four of the U.S. Food and Drug Administration's user fees, along with changes to drug testing rules, sending the must-pass measure over to the Senate. [Read more »](#)

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## LAW FIRMS

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Ballard Spahr  
Carlton Fields  
Chadbourne & Parke  
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Cotchett Pitre  
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DLA Piper  
Davis Polk  
Debevoise & Plimpton  
Dinsmore & Shohl  
Dorsey & Whitney  
Drinker Biddle  
Duane Morris  
Edelson PC  
Foley & Lardner  
Foley Hoag  
Fox Rothschild  
Fragomen Del Rey  
Gardere Wynne Sewell  
Girard Gibbs  
Gordon Dadds  
Haynes and Boone  
Hogan Lovells  
Hudson Cook  
Hunton & Williams  
Kasowitz Benson  
Keker Van Nest & Peters  
Kilpatrick Townsend  
King & Spalding  
Kirkland & Ellis  
Lewis Brisbois  
Littler Mendelson  
Locke Lord

CLV000294

## **GOP Sen. Puts Hold On Pick To Head USCIS Over H-2B Visas**

Sen. Thom Tillis, R-N.C., has blocked President Donald Trump's nominee, Lee Francis Cissna, to serve as director of the U.S. Citizenship and Immigration Services in an attempt to speed up the issuance of additional H-2B visas for temporary workers this summer, the senator's spokesman said Wednesday. [Read more »](#)

## **BANKING & SECURITIES**

### **Analysis**

#### **More Cos. Authorizing No-Vote Shares Despite Resistance**

More companies are establishing the right to issue nonvoting shares at their initial public offering through a triple-class stock structure, venturing beyond dual-class setups that already contain unequal voting rights favoring management's ability to maintain long-term control, despite objections from institutional groups who say the practice erodes accountability. [Read more »](#)

#### **SEC Chairman Questions Disclosure Rules, Compliance Costs**

U.S. Securities and Exchange Commission Chairman Jay Clayton said Wednesday that his agency will be taking a hard look at its regulatory scheme and disclosure requirements, questioning whether SEC regulations are burdening public issuers with compliance costs, and keeping private companies out of the market. [Read more »](#)

#### **Yellen Says Trump Finreg Report Largely Aligns With Fed**

Federal Reserve Chair Janet Yellen on Wednesday said she supported many recommendations that the Trump administration put forward for easing up on post-financial crisis rules, and said that many of those recommendations squared with changes the Fed was already considering. [Read more »](#)

#### **Acting OCC Chief Says Arbitration Rule Could Be 'Ruinous'**

The acting head of a U.S. bank regulator on Monday said that the Consumer Financial Protection Bureau's new rule ending the use of class action bans in arbitration clauses threatened banks with "potentially ruinous liability," setting up a potential interagency fight. [Read more »](#)

#### **S&P Removes Illinois From Credit Downgrade Watch**

Illinois' credit rating will not be downgraded to junk status by Standard & Poor's, at least not anytime soon, according to a statement from the agency Wednesday, six days after the state legislature overrode Republican Gov. Bruce Rauner's veto of the state's first budget in two years. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

#### **DHS, FEMA Skirt Texans' Rules Challenge Over Storm Damage**

A D.C. federal judge on Tuesday dismissed a suit brought by two dozen Texans whose homes were damaged in a series of severe storms in 2015 and 2016 that alleged the Federal Emergency Management Agency has inadequate rules for housing assistance. [Read more »](#)

#### **Pa. Judge Sinks Sunoco's Appeal Bid In Pipeline Row**

A Pennsylvania judge said Wednesday she would not allow Sunoco Inc. to immediately appeal a decision rejecting the company's efforts to nix a lawsuit challenging its ability to use eminent domain to seize rights-of-way for the controversial Mariner East 2 natural gas pipeline. [Read more »](#)

#### **Jury Finds Cos. Don't Owe Boy In \$23M Farm Pesticide Suit**

A California jury on Wednesday sided with three companies in a toxic tort trial, rejecting a mother's claims for \$23 million in damages due to her son's alleged in utero exposure to chemicals when she worked on a berry farm, a defendant's law firm said. [Read more »](#)

Marashlian & Donahue

McBrayer McGinnis

McNamara Benjamin

Morgan Lewis

Ogletree Deakins

Orrick Herrington

Ropes & Gray

Rukin Hyland

Sanford Heisler

Sedgwick LLP

Seyfarth Shaw

Shook Hardy

Sidley Austin

Simpson Thacher

Skadden

Stoel Rives

Sullivan & Cromwell

Susman Godfrey

Tyson & Mendes

Waters Kraus

Wiley Rein

### **COMPANIES**

AT&T Inc.

Adobe Systems Incorporated

Alibaba Group Holdings Ltd.

Altice SA

Altman Weil Inc.

America's Health Insurance Plans

American Bar Association

American Cable Association

American Civil Liberties Union

American Immigration Lawyers Association

Blue Apron Inc.

CCS Medical Holdings Inc.

CashCall Inc.

Charles Schwab Corporation

Coloplast A/S

Comcast Corporation

Communications Workers of America

Dropbox Inc.

Electronic Frontier Foundation

FTI Consulting Inc.

Facebook

FedEx Corporation

Fitch Ratings Ltd.

Google Inc.

Hearst Corp.

Home Box Office Inc.

Human Rights Campaign



## HEALTH & LIFE SCIENCES

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### Off-Label Drug Bills Get Little Traction On Capitol Hill

Republican legislation to ease limits on off-label drug promotion faced significant pushback Wednesday on Capitol Hill, as Democrats, experts and independent groups questioned the wisdom of relaxed rules. [Read more »](#)

### Army Falls Short On Health Record Protections: Watchdog

Defense Health Agency and Army officials are not adequately protecting health records for patients at Army military facilities, the U.S. Department of Defense Office of Inspector General said in a recently released report. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

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### DOT Moves On \$153B Northeast Corridor Overhaul Plans

The U.S. Department of Transportation on Wednesday advanced plans to bolster passenger rail service by overhauling key segments of the Northeast Corridor, issuing a much-anticipated record of decision completing an initial environmental review for an up to \$153 billion infrastructure upgrade program called NEC Future. [Read more »](#)

### GWB Scandal Mastermind Dodges Prison Sentence

David Wildstein, the mastermind behind a political revenge scheme to shut down lanes to the George Washington Bridge, dodged a prison term Wednesday when a New Jersey federal judge sentenced him to three years of probation because he cooperated with the government against his fellow conspirators. [Read more »](#)

## EMPLOYMENT

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### Analysis

### Tough Questions Expected For Trump's NLRB, DOL Picks

President Donald Trump's picks to fill the National Labor Relations Board's two vacancies and the No. 2 job at the U.S. Department of Labor will almost certainly be approved, but sparks may still fly at Thursday's Senate confirmation hearing, attorneys tell Law360. Here, they discuss the questions they expect the nominees to face. [Read more »](#)

### Biz Backers Ask House Lawmakers For Joint Employer Clarity

Business advocates urged House lawmakers at a hearing Wednesday to enact legislation that rescinds the National Labor Relations Board's controversial expansion of the standard for determining joint employment, while other legal experts said such a move could endanger common worker protections. [Read more »](#)

### Groups Want DOL, NLRB Confirmation Hearing Postponed

The U.S. Senate Committee on Health, Education, Labor and Pensions was told on Wednesday by a host of organizations that it should postpone Thursday's scheduled hearings for two National Labor Relations Board nominees and the nominee for the deputy secretary of labor. [Read more »](#)

### Panel OKs Toss Of Whistleblower Suit Against Texas A&M

A former associate director at a Texas A&M University research center on Wednesday failed to convince a state appellate court to revive his whistleblower lawsuit claiming that colleagues improperly billed the federal government, with the panel agreeing that the case was correctly tossed because law enforcement wasn't notified of the alleged wrongdoing. [Read more »](#)

## COMPETITION

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International Brotherhood of Teamsters  
London Stock Exchange Group PLC  
Lyft Inc.  
MetLife Inc.  
Microsoft Corporation  
Moody's Corporation  
Motorola Mobility LLC  
NASDAQ OMX Group Inc.  
National Congress of American Indians  
National Employment Law Project  
Navient Corp.  
Netflix Inc.  
New York Times Co.  
Oracle Corp.  
Patriot National Inc.  
PhRMA  
PricewaterhouseCoopers  
QUALCOMM Incorporated  
Reddit Inc.  
Ross Stores Inc.  
S&P Global Inc.  
SAP AG  
Salesforce.com Inc.  
Sierra Club  
Snap Inc.  
Sunoco  
T-Mobile USA Inc.  
Target Corporation  
Tax Foundation  
TechFreedom  
Texas RioGrande Legal Aid Inc.  
The Cato Corporation  
Twitter Inc.  
U.S. Chamber of Commerce  
Uber Technologies Inc.  
United Auto Workers  
Verizon Communications  
Williams-Sonoma Inc.  
Zeughauser Group LLC

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
Centers for Medicare & Medicaid Services  
Consumer Financial Protection Bureau  
Defense Health Agency  
Delaware Court of Chancery  
Department of Commerce

## Antitrust Enforcers Overzealous On SEPs, FTC Head Says

Federal Trade Commission Chairman Maureen Ohlhausen has taken antitrust enforcers to task for taking action against holders of standard-essential patents, saying regulators are outstripping their authority. [Read more »](#)

## PRIVACY & CYBERSECURITY

### Analysis

#### Cybersecurity Policy To Watch For The Rest Of 2017

With action on cybersecurity at the federal level stalled and the enforcement path of regulators uncertain, attorneys will be keeping a close eye on policymakers at the state level and the European Union. Here, cybersecurity policy watchers forecast what will be the hottest topics in the U.S. and abroad for the rest of the year. [Read more »](#)

#### Trump Campaign, Stone Hit With Suit Over Dems' Leaked Info

President Donald Trump is facing yet another query into his connections to Russia, according to a lawsuit filed in Washington, D.C., on Wednesday accusing adviser Roger Stone and the Trump campaign of aiding Russia in leaking private information of Democratic donors online. [Read more »](#)

#### Tech Cos. Score High On Consumer Privacy, Telecoms Lag

A number of consumer-facing technology companies like Dropbox and Lyft received high marks from the Electronic Frontier Foundation in an annual assessment of how well they protect user privacy, while telecommunications giants like Verizon and Comcast were found to be lacking, according to the watchdog's findings. [Read more »](#)

## GOVERNMENT CONTRACTS

#### House Committee Floats \$1.6B Proposal For Border Wall

The House Appropriations Committee on Tuesday unveiled a bill that contains \$1.6 billion for a southern border wall, a proposal that would meet President Trump's wall funding request, but may also set up a potential fight with Democrats, who have expressed opposition to the barrier. [Read more »](#)

## INTERNATIONAL TRADE

#### US Begins Process To Tweak S. Korean Trade Deal

The U.S. on Wednesday formally notified South Korea that it will call a special meeting to begin the process of amending the existing free trade agreement between the two Pacific Rim nations, weeks after President Donald Trump called for the deal to be revamped. [Read more »](#)

#### Auto Unions Want Raised Mexican Labor Standards In NAFTA

American and Canadian auto worker unions issued a joint statement Tuesday pressing for changes to the North American Free Trade Agreement, primarily higher wages and labor standards in Mexico's auto industry, which has grown dramatically since the trilateral treaty's 1994 launch. [Read more »](#)

## TAX

### Analysis

#### Tax Policy Developments To Watch In The 2nd Half Of 2017

Overhauling federal tax laws has dominated tax policy discussions this year, and while the possibility of comprehensive reform before December appears slim, the Trump administration is also considering axing certain Obama-era regulations. Here is a look at regulations that may get repealed and major hurdles to implementing tax

European Commission  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Federal Housing Finance Agency  
Federal Labor Relations Authority  
Federal Railroad Administration  
Federal Reserve System  
Federal Trade Commission  
Financial Stability Oversight Council  
Food and Drug Administration  
Hopi Tribe  
Internal Revenue Service  
NAFTA  
National Labor Relations Board  
National Oceanic and Atmospheric Administration  
National Railroad Passenger Corporation  
Navajo Nation  
New York State Department of Financial Services  
Occupational Safety and Health Review Commission  
Office of the Comptroller of the Currency  
Office of the U.S. Trade Representative  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
Texas Health and Human Services Commission  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. House of Representatives

reform. [Read more »](#)

### **Chamber Wants Individual, Corporate Tax Cuts At Same Time**

The U.S. Chamber of Commerce wants lower taxes for corporations and individuals alike, and it wants those reforms at the same time, the group said Tuesday in a wish list responding to a Capitol Hill request for tax stakeholder input. [Read more »](#)

### **IRS Debt Collectors Potentially Using Threats, Sens. Say**

Sen. Elizabeth Warren of Massachusetts and three other Democratic senators are urging the Federal Trade Commission to review the debt collection practices of four private companies contracted by the Internal Revenue Service, citing concerns of threats to taxpayers and violations of taxpayers' privacy. [Read more »](#)

## **IMMIGRATION**

### **Feds Fight SF, Silicon Valley's Sanctuary City Suits**

U.S. Department of Justice attorneys urged a California federal judge Wednesday to toss suits by San Francisco and a Silicon Valley county seeking to block President Donald Trump's executive order to withhold federal funds from so-called immigrant sanctuary cities, saying withheld funds would "not amount to very much money at all." [Read more »](#)

### **DACA, Other Immigrant Protections In Jeopardy, Rep. Warns**

Rep. Luis V. Gutiérrez, D-Ill., and other advocates sounded the alarm after Homeland Security Secretary John Kelly told members of the Congressional Hispanic Caucus in a closed-door meeting Wednesday that he may not extend temporary protected status for numerous countries and that the future of the Deferred Action for Childhood Arrivals program is in the hands of U.S. Attorney General Jeff Sessions. [Read more »](#)

### **Trump Admin. Hits Back In Hawaii Travel Ban Case**

The Trump administration on Tuesday fired back in the Hawaii federal court case over the president's travel ban, after the state of Hawaii asked the court to rule that a previous injunction blocks the government from enforcing the executive order against grandparents and other relatives. [Read more »](#)

## **NATIVE AMERICAN**

### **Sens., Enviros, Tribes Urge DOI To Keep Monuments Intact**

U.S. senators, Native American tribes and environmentalists have urged the U.S. Department of the Interior to preserve dozens of national monuments currently under review following an executive order from President Donald Trump, arguing that millions of Americans object to the review. [Read more »](#)

## **TELECOMMUNICATIONS**

### **FCC's July Meeting To Take Aim At Robocalls, Rural Service**

Although the Federal Communications Commission won't be taking up the issue of net neutrality, which continues to draw the lion's share of comments and attention, at its meeting on Thursday it will consider measures to curtail robocalls, cut down on predatory carrier charges and improve rural call quality. [Read more »](#)

### **Net Neutrality Protest Day Spawns Hashtags, Criticism**

Online companies on Wednesday rolled out a slew of banners, hashtags and videos that encouraged web surfers to submit comments to the Federal Communications Commission in favor of net neutrality, but the protest drew mixed reactions from industry groups that cautioned the fanfare may be counterproductive. [Read more »](#)

## **EXPERT ANALYSIS**

[U.S. Immigration and Customs Enforcement](#)

[U.S. Postal Service](#)

[U.S. Senate](#)

[U.S. Supreme Court](#)

[U.S.-China Economic and Security Review Commission](#)

[Ute Mountain Ute Tribe](#)

[World Trade Organization](#)

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## Unstructured Data Is Just The Tip Of The Iceberg

Recent amendments to the Rules of Civil Procedure mean issues like spoliation, sanctions and adverse impacts are focus areas for many attorneys, providers and clients. David Turner of FTI Consulting Inc. discusses the technological best practices regarding preservation and proportionality, as well as the challenges associated with clients' structured data. [Read more »](#)

### Weekly Column

## Innovating For Wise Juries: Interim Arguments

By allowing attorneys to summarize what has just occurred in testimony and how it fits into the wider case narrative, courts can substantially improve juror comprehension through every step of a trial. Yet interim arguments are not practiced regularly, say Stephen Susman, Richard Lorren Jolly and Dr. Roy Futterman of the NYU School of Law Civil Jury Project. [Read more »](#)

## 6 Takeaways From 'Buy American' Memo On Agency Reports

Although the recent "buy American" memorandum from Commerce Secretary Wilbur Ross and Office of Management and Budget Director Mick Mulvaney is mostly administrative in nature, it contains lessons for contractors and at least some indication of what they might see from the Trump administration in the coming months, say attorneys with Covington & Burling LLP. [Read more »](#)

### Opinion

## Senate Should Reject Choice Act And Its Payday Free Pass

Buried in the Financial Choice Act is a provision that eliminates the ability of the Consumer Financial Protection Bureau to exercise any authority with respect to payday loans. Whatever your politics, it's hard to argue that the current state of the small-dollar loan industry is the best it can be for consumers, and this provision would give lenders a free pass from the CFPB, say Steven Tindall and Shane Howarter of Gibbs Law Group LLP. [Read more »](#)

## Value-Based Challenges And Opportunities For Pharma Cos.

Over the past few years, pharmaceutical companies and private health plans have announced new value-based pricing arrangements linking the cost of drugs to their perceived value, receiving widespread media coverage. However, such coverage has obscured the challenges inherent in implementing a successful value-based pricing arrangement, say Eve Brunts and Alison Fethke of Ropes & Gray LLP. [Read more »](#)

## Welcome Changes For Cos. Hiring Foreign Talent: Part 2

In part 2 of this three-part series, Andrew Greenfield of Fragomen Del Rey Bernsen & Loewy LLP explores some of the questions surrounding a new type of temporary U.S. work permit designed to bridge a gap in employment authorization while the employee seeks alternate green card sponsorship. [Read more »](#)

## LEGAL INDUSTRY

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## Why BigLaw Is Backtracking On The Non-Equity Partner Trend

BigLaw's non-equity partner ranks grew at a faster rate than any other law firm job title over the past six years, but the trend appears to be reversing as some firms counsel out income partners in an effort to save on costs and boost profitability. [Read more »](#)

## Baker McKenzie Adopts Transgender Workplace Policy

Baker McKenzie said Wednesday it has implemented a new policy adopting a set of guidelines for how gender transition and gender identity will be addressed in the workplace. [Read more »](#)

## Kasowitz's Securities Work Not Presidential Caliber, Suit Says

Kasowitz Benson Torres LLP has received recent notoriety since being tapped to

represent President Donald Trump, but its attempt to collect almost \$1.1 million from a former client has triggered a dueling suit accusing the firm of engaging in “egregious misconduct” rather than providing the level of legal services expected from counsel to the president. [Read more »](#)

### **Friends Of Murdered Kilpatrick Partner Offer \$100K Reward**

Friends of a Kilpatrick Townsend & Stockton LLP managing partner and IP attorney who was shot and killed last fall in the Bay Area have upped the reward to \$100,000 in hopes of finding new information to lead police to the killer. [Read more »](#)

### **Ballard Spahr Closes San Diego Office, Boosts Los Angeles**

Ballard Spahr LLP has closed its San Diego office and transferred the remaining lawyers to Los Angeles, expanding the Angel City shop as that becomes more of a growth market for the firm and eliminating its smaller southern outpost, a spokeswoman confirmed Wednesday. [Read more »](#)

### **UK Law Firm Gordon Dadds Goes Public In Reverse Takeover**

London-based law firm Gordon Dadds Group Ltd. became the latest U.K. law firm to go public on Wednesday in a reverse takeover by investing company Work Group PLC, according to an announcement on the London Stock Exchange. [Read more »](#)

### **Job Outcomes Should Drive Law School Accreditation: Prof**

As the cost of a legal education skyrockets, law school accreditation and access to federal student loans should hinge on the employment outcomes of graduates, a Florida International University College of Law professor has proposed. [Read more »](#)

### **Plaintiffs Bar Perspective: Sanford Heisler’s Andrew Melzer**

Carefully crafted class theories still succeed. Even if the assault on class actions intensifies, we expect the trend of successful class actions to continue, says Andrew Melzer of Sanford Heisler LLP. [Read more »](#)

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Foley Hoag  
Fox Rothschild  
Fragomen Del Rey  
Gardere Wynne Sewell  
Girard Gibbs  
Gordon Dadds  
Haynes and Boone  
Hogan Lovells  
Hudson Cook  
Kasowitz Benson  
Keker Van Nest & Peters  
Kilpatrick Townsend  
Lewis Brisbois  
Littler Mendelson  
Locke Lord  
Marashlian & Donahue  
McBrayer McGinnis  
McNamara Benjamin  
Morgan Lewis  
Ogletree Deakins  
Orrick Herrington  
Ropes & Gray  
Rukin Hyland  
Sanford Heisler  
Sedgwick LLP  
Seyfarth Shaw  
Shook Hardy  
Sidley Austin  
Simpson Thacher  
Skadden  
Stoel Rives  
Sullivan & Cromwell  
Susman Godfrey  
Tyson & Mendes  
Waters Kraus  
Wiley Rein

#### COMPANIES

Google Inc.  
Twitter Inc.  
American Bar Association  
Facebook  
FedEx Corporation  
National Employment Law Project  
AT&T Inc.  
Adobe Systems Incorporated  
Alibaba Group Holdings Ltd.  
Altice SA  
Altman Weil Inc.  
America's Health Insurance Plans  
American Cable Association

American Civil Liberties Union  
American Immigration Lawyers Association  
Blue Apron Inc.  
CCS Medical Holdings Inc.  
CashCall Inc.  
Charles Schwab Corporation  
Coloplast A/S  
Comcast Corporation  
Communications Workers of America  
Dropbox Inc.  
Electronic Frontier Foundation  
FTI Consulting Inc.  
Fitch Ratings Ltd.  
Hearst Corp.  
Home Box Office Inc.  
Human Rights Campaign  
International Brotherhood of Teamsters  
London Stock Exchange Group PLC  
Lyft Inc.  
MetLife Inc.  
Microsoft Corporation  
Moody's Corporation  
Motorola Mobility LLC  
NASDAQ OMX Group Inc.  
National Congress of American Indians  
Navient Corp.  
Netflix Inc.  
New York Times Co.  
Oracle Corp.  
Patriot National Inc.  
PhRMA  
PricewaterhouseCoopers  
QUALCOMM Incorporated  
Reddit Inc.  
Ross Stores Inc.  
S&P Global Inc.  
SAP AG  
Salesforce.com Inc.  
Sierra Club  
Snap Inc.  
Sunoco  
T-Mobile USA Inc.  
Target Corporation  
Tax Foundation  
TechFreedom  
Texas RioGrande Legal Aid Inc.  
The Cato Corporation  
U.S. Chamber of Commerce  
Uber Technologies Inc.  
United Auto Workers  
Verizon Communications  
Williams-Sonoma Inc.



**GOVERNMENT AGENCIES**

U.S. Department of Justice  
Federal Trade Commission  
Consumer Financial Protection Bureau  
Executive Office of the President  
Federal Communications Commission  
Internal Revenue Service  
National Labor Relations Board  
Securities and Exchange Commission  
U.S. Department of Homeland Security  
U.S. House of Representatives  
Bureau of Citizenship and Immigration Services  
Delaware Court of Chancery  
Federal Reserve System  
Food and Drug Administration  
NAFTA  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
U.S. Supreme Court  
Centers for Medicare & Medicaid Services  
Defense Health Agency  
Department of Commerce  
European Commission  
European Union  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Federal Housing Finance Agency  
Federal Labor Relations Authority  
Federal Railroad Administration  
Financial Stability Oversight Council  
Hopi Tribe  
National Oceanic and Atmospheric Administration  
National Railroad Passenger Corporation  
Navajo Nation  
New York State Department of Financial Services  
Occupational Safety and Health Review Commission  
Office of the Comptroller of the Currency  
Office of the U.S. Trade Representative  
Port Authority of New York & New Jersey  
Texas Health and Human Services Commission  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Housing and Urban Development  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. Immigration and Customs Enforcement  
U.S. Postal Service



U.S. Senate  
U.S.-China Economic and Security Review Commission  
Ute Mountain Ute Tribe  
World Trade Organization

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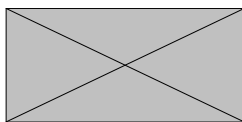
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**Sent:** Mon 8/15/2016 8:29:34 AM  
**Subject:** [Marketing Mail] Immigration Regulations To Watch Before Obama Exits Office



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**Monday, August 15, 2016**

## TOP NEWS

### Immigration Regulations To Watch Before Obama Exits Office

With only six months left in the president's term, the Obama administration will need to hustle if it wants to issue the slew of immigration regulations that are still on its plate, measures that could impact foreign startup founders and highly skilled workers alike. Here are the key immigration rules attorneys should watch for.

### Clinton's TPP Pivot Could Be A Long Way Off

While most free trade proponents believe that Hillary Clinton will walk back her opposition to the Trans-Pacific Partnership if she wins the White House, the candidate's latest comments signal that she may seek radical, sweeping changes to the agreement before it comes up for a vote.

### Sen. Cranks Up Pressure On AT&T, Others To Fight Robocalls

A U.S. senator pushed AT&T, Verizon and several other top telecoms Thursday to explain what exactly they have been doing in recent years to prevent consumers from receiving unwanted robocalls, saying that "aggressive action" is needed but that companies so far have made only "empty promises."

### Ex-Gitmo Prisoner's Suit Won't Be Revived By DC Circuit

The D.C. Circuit Friday rejected a former Guantanamo Bay detainee's attempt to revive allegations that government officials tortured and detained him illegally as a teen, ruling that law governing the conflict in Afghanistan bars suits by enemy combatants.

### Redistricting Group Asks Ill. Top Court To Take Ballot Case

Illinois' Independent Maps Coalition — a privately financed collection of good government groups — urged the Illinois Supreme Court on Wednesday to take up its case to save a proposed state constitutional amendment that would reapportion legislative districts using nonpartisan methods.

### Pa. AG Opts Not To Testify As Her Defense Rests

Pennsylvania's embattled attorney general opted to not take the stand in her own defense on Friday as her legal team rested its case without calling on any witnesses to rebut allegations that she had conspired to leak confidential grand jury information to a reporter before lying about it to investigators.

## ANALYSIS

## LAW FIRMS

Alston & Bird  
Arent Fox  
Ballard Spahr  
Benach Collopy  
Boies Schiller  
Brewer, Attorneys & Counselors  
Buchanan Ingersoll  
Burke Law Group  
Burr & Forman  
Covington & Burling  
Crowell & Moring  
DLA Piper  
Dechert  
Dewey & LeBoeuf  
Dorsey & Whitney  
Earthjustice  
Epstein Becker Green  
Federal Practice Group Worldwide  
Service  
Fish & Richardson  
Fragomen Del Rey  
Frank LLP  
Gibson Dunn  
Greenberg Traurig  
Grossberg Yochelson  
Hattis Law  
Hunton & Williams  
Jenner & Block  
Jones Day  
Kamer Zucker  
Kaye Scholer  
Keker & Van Nest  
King & Spalding  
Kirkland & Ellis

CLV000305

## The 5 TSCA Changes Most Likely To Spawn Litigation

As the U.S. Environmental Protection Agency races to meet tight rulemaking deadlines set out under the newly revised Toxic Substances Control Act, experts say attorneys are preparing for litigation over several key issues, including how the agency prioritizes chemicals for review and how it assesses risk. Here are five areas where legal challenges are expected.

### BANKING & SECURITIES

#### CTFC Exempts Federal Reserve Banks From DCO Liabilities

The U.S. Commodity Futures Trading Commission on Friday published an order that will free Federal Reserve Banks that manage customer accounts for derivatives clearing organizations from liability under the Commodity Exchange Act.

#### FDIC Cybersecurity Still Not Up To Snuff, Watchdog Says

The Federal Deposit Insurance Corp.'s cybersecurity still has room for improvement when it comes to protecting and controlling access to the agency's financial and other sensitive data, according to a watchdog report Thursday.

### ENERGY & ENVIRONMENTAL

#### 9th Circ. Chides EPA Again On Pesticide Delay

A Ninth Circuit panel on Friday chastised the U.S. Environmental Protection Agency once again for a string of delays in taking action on a request to ban the pesticide chlorpyrifos, rejecting the agency's request for a six-month extension and giving it three months instead.

### HEALTH & LIFE SCIENCES

#### Ohio's Attempt To Defund Planned Parenthood Blocked

An Ohio federal judge on Friday permanently shot down a state law blocking funding for two Planned Parenthood affiliates, ruling that the law violates the First Amendment right to freedom of speech and the Fourteenth Amendment's due process clause.

#### Pastors Sue Illinois Over Gay Conversion Therapy Ban

A coalition of Illinois pastors sued the state in federal court on Thursday over a law that bars therapists and counselors from using so-called conversion therapy in attempting to change a minor's sexual orientation, alleging that the government overreached by also applying the ban to religious clergy not licensed by the state.

### IP & TECHNOLOGY

#### DOJ, FTC Eye Revamp To IP-Licensing Antitrust Rules

The Federal Trade Commission and the U.S. Department of Justice's Antitrust Division said Friday that they are seeking public comments on a proposed update of the Antitrust Guidelines for the Licensing of Intellectual Property.

### MEDIA & ENTERTAINMENT

#### State Gov't Group Urges Feds To Stay Out Of Sports Betting

The National Conference of State Legislatures on Thursday called on the federal government to recognize states' sovereignty in regulating, taxing or prohibiting internet gambling, sports gambling and daily fantasy sports contests, coming just days after a Third Circuit ruling shot down New Jersey's attempt to allow sports

Clasko Immigration Law Partners  
Latham & Watkins  
Law Offices of Stewart and Stewart  
Mauck & Baker  
Mayer Brown  
McCarter & English  
McDermott Will  
Miller & Chevalier  
Mintz Levin  
Morgan Lewis  
Morrison & Foerster  
Orrick Herrington  
Pietragallo Gordon  
Proskauer Rose  
Quarles & Brady  
Quinn Emanuel  
Reed Smith  
Salazar Jackson LLP  
Seward & Kissel  
Seyfarth Shaw  
Sidley Austin  
Thompson Hine  
Troutman Sanders  
Weil Gotshal  
Wiggin and Dana  
WilmerHale  
Winston & Strawn

### COMPANIES

AAR Corporation  
AECOM  
AT&T Inc.  
Adidas AG  
Adobe Systems Incorporated  
Agilent Technologies Inc.  
American Chemistry Council Inc.  
American Immigration Lawyers Association  
American Petroleum Institute Inc.  
American Psychiatric Association  
Apple Inc.  
Association of American Railroads  
Bank of America Corporation  
Berkeley Research Group  
BlueLinx Holdings, Inc.  
CBS Corporation  
CME Group Inc.  
CTIA  
CenturyLink Inc.  
Chevron Corporation  
Chiquita Brands International Inc.

betting by saying it was violative of a federal law.

## TRANSPORTATION & INFRASTRUCTURE

### Rail Shippers Petition DOT To Block Rival Tank Car Standards

A coalition of industry groups representing chemical, gas, fertilizer and other companies petitioned the U.S. Department of Transportation on Friday to adopt rules that would block freight railroads and others from trying to draft competing national standards for tank cars carrying hazardous materials.

### Trump, Clinton Tout Infrastructure Spending, With Few Details

Calls by Hillary Clinton and Donald Trump to spur economic growth with increased infrastructure investment have stoked optimism that the candidates will prioritize fixing the nation's crumbling roads, bridges and highways. But experts say a shortage of specifics from the presidential hopefuls casts doubt on whether they'll make good on their promises.

## EMPLOYMENT

### High Court Should Review Tip-Pool Ruling, Says Casino

Wynn Las Vegas has asked the Supreme Court to review a Ninth Circuit decision that held the U.S. Department of Labor is empowered to restrict employers from tip-pooling, saying the appeals court decision wrongly interprets court precedent and the Fair Labor Standards Act and could lead to expansive federal agency authority.

### UNC Can't Duck Transgender Bathroom Lawsuit, Feds Say

The University of North Carolina can't escape the high-stakes suit over the state's law requiring transgender people to use public bathrooms that correspond with their birth gender, the U.S. Department of Justice said on Thursday, adding that the school has sent mixed messages as to what its policy really is.

## PRIVACY & CONSUMER PROTECTION

### Ex-DHS Head Calls On Cos. To Fight Feds On Internet Security

A former head of the U.S. Department of Homeland Security on Thursday urged businesses to follow Apple and Microsoft's lead and fight back against the "excesses of governments" that threaten to undermine the security of personal and corporate data stored online.

## GOVERNMENT CONTRACTS

### Blago The Wrong Case To Sort Out Corruption Law

After former Illinois Gov. Rod Blagojevich learned last week that his partially successful appeal wouldn't translate to a shortened prison sentence, his attorney said the standards used to convict Blagojevich should worry any politician who raises money to support their candidacy.

## INTERNATIONAL TRADE

### WTO Smacks Down Russian Tariffs On EU Products

In the first World Trade Organization case decided against Russia since it joined in 2012, a WTO panel found Friday that Russia's import duties in paper, refrigerators and palm oil violate WTO rules.

## TAX

Chlorine Institute Inc.  
Comcast Corporation  
Consumer Reports  
Council on Foreign Relations  
Covidien PLC  
DraftKings Inc.  
ESPN Inc.  
Eli Lilly and Company  
Facebook  
Fannie Mae  
FedEx Corporation  
Freddie Mac  
Frontier Communications Corporation  
Gilead Sciences Inc.  
Goldman Sachs Group Inc.  
Google Inc.  
Hoffmann-La Roche  
Hubbell Inc.  
Illinois Tool Works Inc.  
International Brotherhood of Teamsters  
International Longshore and Warehouse Union  
JPMorgan Chase & Co.  
Johnson & Johnson  
KBR, Inc.  
Macy's Inc.  
Maserati North America Inc.  
Medtronic Inc.  
Microsoft Corporation  
NBCUniversal Inc.  
National Conference of State Legislatures  
Natural Resources Defense Council  
New York University  
Nike Inc.  
Oracle Corporation  
Pfizer Inc.  
Planned Parenthood Federation  
SAS Institute  
Shaw Industries Group Inc.  
Society for Worldwide Interbank Financial Telecommunication  
Society of Chemical Manufacturers and Affiliates Inc.  
Sprint Nextel Corporation  
State Bar of California  
T-Mobile USA Inc.  
Takata Corp.  
The DIRECTV Group, Inc.  
The Fertilizer Institute

CLV000307

## Clinton Says Trump's Tax-Slashing Plan Is Gift To 1%

Democratic presidential candidate Hillary Clinton said Thursday that Republican rival Donald Trump's recently announced tax plan would benefit mainly the wealthy, undercutting Trump's claims that it was designed to spur domestic job growth.

## IMMIGRATION

### DOJ To Issue New Rule On Unfair Immigration Job Practices

The U.S. Department of Justice on Friday unveiled a proposed rule that would update the regulations that implemented a part of immigration law concerned with so-called "unfair, immigration-related employment practices," with the proposed changes defining certain important statutory terms.

## TELECOMMUNICATIONS

### Consumer Group Presses For Freeze On TCPA Exemption

Consumers Union pressed the Federal Communications Commission on Thursday to freeze a ruling sanctioning certain robocalls, saying the decision hurts consumers too much to be implemented while a formal appeal process is proceeding, and continuing a regulatory brawl over new Telephone Consumer Protection Act rules.

### Carriers Want Calif. Cellphone Tax Row Kept At Federal Level

AT&T, Verizon and T-Mobile assailed efforts Thursday to send back to state court a proposed class action, removed to federal jurisdiction by AT&T, brought by California residents alleging the companies illegally collected hundreds of millions of dollars in cellphone sales taxes on behalf of the state's tax agency.

### City Can't Block FCC Radiation Rule Arguments, 9th Circ. Says

The Ninth Circuit refused on Thursday to block CTIA-The Wireless Association from arguing that the Federal Communications Commission doesn't actually require radio frequency disclosures, as the trade group challenges the city of Berkeley, California's cellphone warning ordinance.

## PEOPLE

### NY Fed Taps Longtime Counsel To Be New Top Atty

The Federal Reserve Bank of New York announced on Friday its promotion of Michael Held, a deputy general counsel with almost two decades of experience at the institution, to lead its legal group as general counsel and serve as executive vice president.

## EXPERT ANALYSIS

### OPINION: My Dad, The Illegal Refugee Who Hired Americans

At a recent rally in Maine, Donald Trump delighted followers by saying the U.S. should block access from certain countries, even to refugees who are otherwise legally eligible to come to America. My dad, a Hungarian refugee in 1949, faced similar attitudes and policies after the Holocaust, says professor Michael LeRoy of the University of Illinois College of Law.

### EEOC Advocates For A More Diverse Tech Industry

While the U.S. Equal Employment Opportunity Commission's "Diversity in High Tech" report is valuable in highlighting changes necessary to create a more diverse workforce in the technology industry, its public meeting made clear that the commission expects tech companies to address what it perceives to be the implicit

The Walt Disney Company  
Time Warner Cable  
United States Cellular Corporation  
Verizon Communications  
Walgreen Co.

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
California Attorney General's Office  
Commodity Futures Trading Commission  
Equal Employment Opportunity Commission  
European Commission  
Executive Office of the President  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Housing Administration  
Federal Reserve Bank of NY  
Federal Reserve System  
Federal Trade Commission  
Financial Stability Oversight Council  
Food and Drug Administration  
Government Accountability Office  
Illinois Supreme Court  
International Trade Commission  
National Institute of Standards and Technology  
National Labor Relations Board  
National Transportation Safety Board  
Occupational Safety and Health Administration  
Pipeline and Hazardous Materials Safety Administration  
Securities and Exchange Commission  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Environmental Protection Agency  
U.S. Patent and Trademark Office  
U.S. Postal Service  
U.S. Senate  
U.S. Supreme Court

and unconscious biases leading to the current demographics, says Nancy Gunzenhauser at Epstein Becker Green LLP.

### **Brexit Achieves The Opposite Of Intended Effect In Banking**

Contrary to the sentiments that drove more than 15 million U.K. citizens to vote to leave the European Union, the banking industry has asked to preserve the existing EU regulatory framework. It appears that the U.K. banking sector will bear all of the costs associated with Brexit while missing out on the gains that fervent campaigners promised, says Brandon Daniels, president of the Clutch Group.

### **Fannie And Freddie's New Commercial Space Requirements**

Under Fannie Mae and Freddie Mac's new mixed-use condominium approval requirements, attorneys can no longer avoid commercial space restrictions by separating the various condominium regimes into discrete commercial and residential components, says Matt Kirsch at Grossberg Yochelson Fox & Beyda LLP.

### **WTO Should Stop Undermining Legitimate Trade Remedy Laws**

There is within the World Trade Organization Secretariat and Appellate Body an apparent bias against the use of trade remedies, despite the clear right of members to use such remedies to address injurious dumping or subsidization actions, says Terence Stewart of the Law Offices of Stewart and Stewart.

### **Time To Revisit Severance Agreements**

The U.S. Securities and Exchange Commission's recent order involving BlueLinx Holdings shows that the commission is apt to pursue enforcement actions where it finds that employee severance and settlement agreements impede an individual from reporting a violation of securities laws and may signal that increased, rigorous scrutiny of such agreements is on the horizon, says Steven Pearlman at Proskauer Rose LLP.

## **LEGAL INDUSTRY**

### **The 5 Worst Mistakes That New GCs Make**

The first days, weeks and months in a legal department are critical: First impressions matter, and there's a lot of groundwork to do when you're settling into a new position, whether it's a supervisory or staff attorney role. Here, experts share the common mistakes that trip up new in-house attorneys.

### **Litigation Powerhouse: Covington & Burling**

In a 12-month stretch, Covington & Burling LLP racked up three back-to-back trial victories, continued an unbroken appellate streak for two pharmaceutical industry giants and won decisions that affect how federal laws are applied, putting it among Law360's Litigation Powerhouses.

### **These Law Firms Are Dominating The Federal Circuit In 2016**

Law360's midyear snapshot of patent opinions issued by the Federal Circuit reveals eight firms are coming out on top after oral arguments, chalking up wins in high-stakes intellectual property battles before the federal appeals court.

### **Dewey Judge Says DA Can't Blame Execs For Firm Collapse**

A New York state judge on Friday narrowed the scope of the coming retrial of two former executives of Dewey & LeBoeuf LLP, saying the government can't argue that they caused the firm's collapse, but refused to block a swath of evidence from coming in the second time around.

### **Google, Oracle Should Let Young Attys Argue, Judge Says**

Counsel for Google Inc. and Oracle America Inc. should give their young attorneys opportunities to argue in court, a California federal judge told the parties in a short order on Friday in a dispute over whether Oracle's Java code can be copyrighted.

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**



Mississippi employers can't fire workers for storing guns in on-site vehicles, the Seventh Circuit calls disclosure-only settlements a racket that must die, and the SEC goes after a new breed of anti-whistleblower provisions. Those stories top the corporate legal news you may have missed this week.

### **Calif. Pols, Chief Justice Fail To Agree On Bar Reform**

California lawmakers and the state chief justice failed Thursday to reach a deal on a repair strategy and a dues bill supporting the State Bar of California, putting the primary funding source of the nation's largest state attorney organization in further jeopardy.

### **Mass. Supreme Court Justice Returns To McDermott**

Massachusetts Supreme Judicial Court Justice Robert J. Cordy has retired from the bench to return to private practice at McDermott Will & Emery LLP, joining the BigLaw firm's Boston office 15 years after he first left it to join the high court.

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

### **Rainmaker Q&A: Salazar Jackson's Linda Worton Jackson**

Rainmaking used to mean lots of lunches and charity events. Now, clients want articles, extra services or alternative billing arrangements. And, with email and social media, a lot of the schmoozing can be done via the internet. But, the personal touch must always be front and center, says Linda Worton Jackson, a partner at Salazar Jackson LLP.

### **Rainmaker Q&A: Quinn Emanuel's Michael Carlinsky**

In an interview to take over a case where the subject matter involved reinsurance, the potential clients asked how many reinsurance cases I had handled. To their surprise I said none, but that they should hire me anyway. When they asked why, I explained my strategy and we were hired within two hours, says Michael Carlinsky, chairman of complex litigation and co-chairman of insurance litigation at Quinn Emanuel Urquhart & Sullivan LLP.

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DLA Piper  
Dechert  
Dewey & LeBoeuf  
Dorsey & Whitney  
Earthjustice  
Epstein Becker Green  
Federal Practice Group Worldwide Service  
Fish & Richardson  
Fragomen Del Rey  
Frank LLP  
Greenberg Traurig  
Grossberg Yochelson  
Hattis Law  
Hunton & Williams  
Jenner & Block  
Kamer Zucker  
Kaye Scholer  
Keker & Van Nest  
Kirkland & Ellis  
Klasko Immigration Law Partners  
Latham & Watkins  
Law Offices of Stewart and Stewart  
Mauck & Baker  
McCarter & English  
Miller & Chevalier  
Mintz Levin  
Morgan Lewis  
Morrison & Foerster  
Orrick Herrington  
Pietragallo Gordon  
Proskauer Rose  
Quarles & Brady  
Reed Smith  
Salazar Jackson LLP  
Seward & Kissel  
Seyfarth Shaw  
Thompson Hine  
Troutman Sanders  
Wiggin and Dana  
Winston & Strawn

#### COMPANIES

AT&T Inc.  
Apple Inc.  
BlueLinx Holdings, Inc.  
Fannie Mae  
Google Inc.  
KBR, Inc.  
Microsoft Corporation



Sprint Nextel Corporation  
T-Mobile USA Inc.  
Verizon Communications  
AAR Corporation  
AECOM  
Adidas AG  
Adobe Systems Incorporated  
Agilent Technologies Inc.  
American Chemistry Council Inc.  
American Immigration Lawyers Association  
American Petroleum Institute Inc.  
American Psychiatric Association  
Association of American Railroads  
Bank of America Corporation  
Berkeley Research Group  
CBS Corporation  
CME Group Inc.  
CTIA  
CenturyLink Inc.  
Chevron Corporation  
Chiquita Brands International Inc.  
Chlorine Institute Inc.  
Comcast Corporation  
Consumer Reports  
Council on Foreign Relations  
Covidien PLC  
DraftKings Inc.  
ESPN Inc.  
Eli Lilly and Company  
Facebook  
FedEx Corporation  
Freddie Mac  
Frontier Communications Corporation  
Gilead Sciences Inc.  
Goldman Sachs Group Inc.  
Hoffmann-La Roche  
Hubbell Inc.  
Illinois Tool Works Inc.  
International Brotherhood of Teamsters  
International Longshore and Warehouse Union  
JPMorgan Chase & Co.  
Johnson & Johnson  
Macy's Inc.  
Maserati North America Inc.  
Medtronic Inc.  
NBCUniversal Inc.  
National Conference of State Legislatures  
Natural Resources Defense Council  
New York University  
Nike Inc.  
Oracle Corporation  
Pfizer Inc.

Planned Parenthood Federation  
SAS Institute  
Shaw Industries Group Inc.  
Society for Worldwide Interbank Financial Telecommunication  
Society of Chemical Manufacturers and Affiliates Inc.  
State Bar of California  
Takata Corp.  
The DIRECTV Group, Inc.  
The Fertilizer Institute  
The Walt Disney Company  
Time Warner Cable  
United States Cellular Corporation  
Walgreen Co.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Federal Communications Commission  
U.S. Department of Labor  
U.S. Environmental Protection Agency  
Equal Employment Opportunity Commission  
European Commission  
Executive Office of the President  
National Institute of Standards and Technology  
National Labor Relations Board  
Securities and Exchange Commission  
U.S. Department of Homeland Security  
U.S. Senate  
Bureau of Citizenship and Immigration Services  
California Attorney General's Office  
Commodity Futures Trading Commission  
Federal Deposit Insurance Corp.  
Federal Housing Administration  
Federal Reserve Bank of NY  
Federal Reserve System  
Federal Trade Commission  
Financial Stability Oversight Council  
Food and Drug Administration  
Government Accountability Office  
Illinois Supreme Court  
International Trade Commission  
National Transportation Safety Board  
Occupational Safety and Health Administration  
Pipeline and Hazardous Materials Safety Administration  
U.S. Department of Housing and Urban Development  
U.S. Department of Transportation  
U.S. Patent and Trademark Office  
U.S. Postal Service

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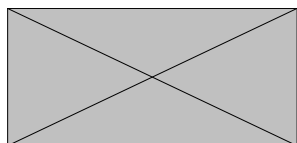
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 11/22/2017 9:11:46 AM  
**Subject:** Big Purchases Bust Budget In \$650B Senate Defense Bill



**PUBLIC POLICY.**

Law360 Closed For Thanksgiving

Newsletter service will resume on Monday, Nov. 27.

**Wednesday, November 22, 2017**

## TOP NEWS

### Big Purchases Bust Budget In \$650B Senate Defense Bill

The Senate Appropriations Committee unveiled a budget-busting \$650.8 billion defense bill Tuesday, with a plan that focuses heavily on new purchases and would blow past spending caps. [Read more »](#)

### Calif. Judge Permanently Blocks 'Sanctuary Cities' Order

A California federal judge on Monday permanently blocked the enforcement of an executive order issued by President Donald Trump in January that calls for withholding federal funds from so-called sanctuary cities, saying it violates various provisions of the U.S. Constitution. [Read more »](#)

### Mueller Says Trump Associate's Defense Atty Has Conflict

Special Counsel Robert Mueller's office is waving red flags about the lawyer representing President Donald Trump's ex-lobbyist Rick Gates in a money-laundering case that spun out of the 2016 election, saying the Manhattan white-collar attorney has a glaring conflict of interest. [Read more »](#)

### Fla. Bill Would Give Lawmakers More Power Over Judge Picks

A Florida legislator filed a bill Monday that would strip the Florida Bar of its role in recommending members to the judicial nominating commission, which proposes nominees for judgeships, and give that power to Senate and House leaders. [Read more »](#)

## Analysis

### What We Know About The Upcoming Net Neutrality Vote

The Federal Communications Commission revealed its plans Tuesday to vote on the proposed rollback of net neutrality protections at its December open meeting. The substance of the proposed order is expected to be unveiled Wednesday, but FCC commissioners and senior officials have already painted the broad strokes of what a net neutrality rule repeal will look like. Here's what we know about the upcoming Restoring Internet Freedom vote. [Read more »](#)

## BANKING & SECURITIES

### FDIC Chair Says Raising Oversight Thresholds Risks Fund

Federal Deposit Insurance Corp. Chair Martin Gruenberg on Tuesday said that a Senate proposal to raise the asset level that qualifies banks for enhanced

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## LAW FIRMS

Allen & Overy  
Arnold & Porter Kaye Scholer  
Barnes & Thornburg  
Blank Rome  
Bryan Cave  
Cassidy Levy  
Cotsirilos Tighe  
Covington & Burling  
Crowell & Moring  
Curtis Mallet-Prevost  
Davis Polk  
Day Pitney  
Dentons  
Dilworth Paxson  
Doar Rieck  
Drinker Biddle  
Feldman Shepherd  
Ferraiuoli LLC  
Hinshaw & Culbertson  
Hogan Lovells  
Hunton & Williams  
Jaffe & Asher  
Keker Van Nest & Peters  
Kennedys CMK  
Kirkland & Ellis  
Littler Mendelson  
Lowenstein Sandler  
Mayer Brown

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regulations and capital requirements could potentially put the federal deposit insurance system at risk. [Read more »](#)

### CFTC Grants Relief To Swaps Execution Compliance Chiefs

The Commodity Futures Trading Commission on Monday granted relief for chief compliance officers of swap execution facilities, allowing them an additional 30 days to submit annual compliance reports after their fiscal year ends in order to cope with budget constraints. [Read more »](#)

### Puerto Rico Board Says Bond Insurer Can't Fight Fiscal Plan

The federal board charged with guiding Puerto Rico through its watershed debt restructuring reasserted Tuesday that it must remain unfettered from bondholder litigation to certify fiscal budgeting plans for the territory and ultimately come up with debt readjustment proposals, tamping down complaints of alleged constitutional violations. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### EPA Tells DC Circ. Regional Consistency Rule Is Sound

The U.S. Environmental Protection Agency on Monday defended its rule restricting the effects of a federal appeals court's decision on a nationally applicable regulation to within that court's jurisdiction, telling the D.C. Circuit that it represented a reasonable interpretation of the agency's Clean Air Act authority. [Read more »](#)

## HEALTH & LIFE SCIENCES

### Pharma Groups Pressure FDA On Drug Innovation, Access

In response to a U.S. Food and Drug Administration solicitation, leading pharmaceutical trade groups are jousting over how the agency should recalibrate the delicate balance between innovation and affordability, newly released letters show. [Read more »](#)

### Mass. Governor Signs Law Protecting Birth Control Coverage

Massachusetts Governor Charlie Baker signed into law Monday a bill that ensures copay-free access to contraception in the state regardless of policy changes at the federal level. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### Highway Crashes Lead National Increase In Auto Deaths

New data released Tuesday by the National Transportation Safety Board showed that more people died in accidents last year than in 2015, with the vast majority of the incidents occurring on highways. [Read more »](#)

## REAL ESTATE

### NJ Panel Affirms Use Of Eminent Domain For Landfill

A New Jersey appellate court ruled Monday that the state's Sports and Exposition Authority had the right to use eminent domain to acquire a landfill in Kearny to continue solid waste disposal there, rejecting the municipality's arguments that the agency acted improperly. [Read more »](#)

## GOVERNMENT CONTRACTS

### Whistleblower Attys Fight Sanctions In Hastert Case

Illinois attorneys who represented a whistleblower in an unsuccessful suit against

McMonagle Perri  
Milbank Tweed  
O'Neill & Borges  
Orrick Herrington  
Proskauer Rose  
Robinson & Cole  
Salon Marrow  
Sedgwick LLP  
Sheppard Mullin  
Troutman Sanders  
Wolf Greenfield

### COMPANIES

AT&T Inc.  
American Cable Association  
American Civil Liberties Union  
American Immigration Council  
American Petroleum Institute Inc.  
Amneal Pharmaceuticals LLC  
Association for Accessible  
Medicines  
BB&T Corporation  
Blue Cross Blue Shield of  
Massachusetts  
Cincinnati Financial Corporation  
Citigroup Inc.  
Comcast Corporation  
Cray Inc  
Deutsche Lufthansa AG  
Florida Bar Association  
H.D. Smith LLC  
J.M. Smith Corp.  
Jazz Pharmaceuticals Inc.  
Keurig Green Mountain Inc.  
LG Electronics Inc.  
Lockheed Martin  
Lyft Inc.  
National Immigration Law Center  
Neota Logic Inc.  
New York Times Co.  
Oath Inc.  
OneWest Bank Group LLC  
PHH Corporation  
PhRMA  
Planned Parenthood Federation  
Regions Financial Corporation  
State Street Corp.  
TechFreedom  
The Travelers Companies Inc.  
Twitter Inc.  
United States Telecom  
Association

former U.S. House Speaker Dennis Hastert for alleged misuse of government funds are seeking to overturn sanctions imposed on them for pursuing the litigation in the face of what the court deemed case-ending evidence. [Read more »](#)

## AEROSPACE & DEFENSE

### Md. Judge Widens Block Of Trump's Trans Military Ban

The Trump administration can't ban transgender people from military service, according to an injunction issued Tuesday by a Maryland federal judge who expanded a D.C. district judge's block to include lifting restrictions for service members undergoing gender reassignment surgeries. [Read more »](#)

### 2nd Circ. Revives Terror Victims' Bid To Get \$1.7B From Iran

The Second Circuit on Tuesday revived a bid by families of the victims of the 1983 Beirut Marine Corps barracks bombing to collect \$1.68 billion linked to Iran's central bank, overturning an earlier decision that the money was beyond the reach of U.S. courts. [Read more »](#)

## INTERNATIONAL TRADE

### ITC Proposes Tariffs To Curb Samsung, LG Washer Imports

After concluding last month that Whirlpool was hampered by surging washing machine imports from competitors like LG and Samsung, the U.S. International Trade Commission on Tuesday proposed a set of tariffs that would penalize the companies for exceeding an import quota over the next three years. [Read more »](#)

### Coffee Bean Origin Country Is Where Roasted, Customs Says

U.S. Customs and Border Protection on Tuesday published its final determination that, for the purpose of government procurement, the country where raw green coffee beans are roasted is the country of origin, on the grounds that the roasting substantially changes the product. [Read more »](#)

### US-China WTO Brawl Still Drawing Other Members' Interest

A high-stakes World Trade Organization battle over the U.S. policy toward China in anti-dumping probes, which was recently escalated through a case targeting aluminum foil, caught the eyes of other members this week as Japan, Canada and the European Union all requested to keep tabs on the dispute. [Read more »](#)

## IMMIGRATION

### Feds Ask Supreme Court To Reverse Blocks On Travel Ban

The Trump administration asked the U.S. Supreme Court on Tuesday to reverse blocks on its third travel ban by federal courts in Maryland and Hawaii, saying the latest ban was the result of a careful cross-department review and that the lower courts' intervention hurts the executive branch's ability to direct national security. [Read more »](#)

### Trump Moving To Nix Foreign Entrepreneur Rule

The Trump administration has given notice that it intends to do away with the International Entrepreneur Rule, an Obama-era rule that would have allowed about 3,000 international entrepreneurs per year to grow businesses in the U.S. [Read more »](#)

### DACA Recipient Wins Back Work Permit In ACLU Arrest Suit

A California federal judge Monday temporarily reinstated a Los Angeles man's Deferred Action for Childhood Arrivals status and work permit — which were canceled after his arrest for a crime he was never charged with — finding the American Civil Liberties Union had made a “compelling argument” that the government's decision was arbitrary. [Read more »](#)

Verizon Communications  
Washington Post Co.  
Whirlpool Corporation

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Election Commission  
Federal Financial Institutions Examination Council  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Hawaii Attorney General's Office  
International Trade Commission  
National Transportation Safety Board  
New Jersey Meadowlands Commission  
Office of the Comptroller of the Currency  
Solicitors Regulation Authority  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Senate  
U.S. Supreme Court  
United Nations  
United States District Court for the Eastern District of Pennsylvania  
World Trade Organization

## **Customs Violated 2 Travel Ban Orders, Gov't Watchdog Says**

U.S. Customs and Border Protection was "very aggressive" in blocking certain travelers to the U.S. in violation of two court orders from Massachusetts and California, according to a letter on Tuesday hinting at the results of a government investigation that's still under wraps. [Read more »](#)

## **9th Circ. Blocks 6 States From Hawaii Travel Ban Suit**

The Ninth Circuit on Monday blocked Massachusetts, California, New York and three other states from intervening in Hawaii's challenge to the Trump administration's third travel ban, telling the states to make their case in amici briefs instead. [Read more »](#)

## **TELECOMMUNICATIONS**

## **FCC Pushes Forward With Net Neutrality Rollback Plans**

The Federal Communications Commission announced Tuesday that it will vote at its Dec. 14 monthly meeting on rolling back the legal underpinning for its net neutrality rules, forecasting a total repeal of the Obama-era safeguards that prevent paid content prioritization and other schemes that would create "fast" and "slow" lanes for internet content. [Read more »](#)

## **WHITE COLLAR**

## **Pa. Congressman Broke Law, Feds Say In Search Warrant Bid**

Federal prosecutors believe that U.S. Rep. Bob Brady, D-Pa., broke the law by making concealed payments to a rival in exchange for dropping out of a 2012 congressional primary, according to a search warrant unsealed Monday. [Read more »](#)

## **Ex-Pa. AG Kane Says Immunity Bars Retaliation Claims**

Pennsylvania's disgraced former attorney general told a federal judge on Monday that her erstwhile position as a government official immunized her from claims lodged by a group of former investigators who are alleging that she used her position to retaliate against them. [Read more »](#)

## **EXPERT ANALYSIS**

## **Remaining Questions About US Paris Agreement Withdrawal**

Last week's annual meeting of the 23rd Conference of the Parties addressed, among other issues, implementation of the Paris climate change agreement. The U.S. has already submitted a notification of its intention to withdraw from the agreement, but because it has been submitted early, it is unclear whether it will satisfy the withdrawal requirements, says Silvia Maciunas of The Centre for International Governance Innovation. [Read more »](#)

## **Potential For A New Course At The CFPB**

The Consumer Financial Protection Bureau has been a lightning rod for controversy since its creation in 2010. Now, with the announcement of Director Richard Cordray's resignation last week, Allison Schoenthal of Hogan Lovells examines what changes may be on the way. [Read more »](#)

## **Opioid Insurance Litigation Is Mounting With Mixed Results**

With suits pending across the country against manufacturers, distributors, pharmacies and others, we are currently in the early stages of the opioid insurance coverage war. Decisions so far primarily address accident and fortuity issues, application of product exclusions and whether claims involve damages "because of" or "for" bodily injury, says Scott Seaman of Hinshaw & Culbertson LLP. [Read more »](#)

## **6 Months After TC Heartland, Adjusting To A New Landscape**



The U.S. Supreme Court's May 22, 2017, decision in TC Heartland, which overturned decades of accepted practice on how to evaluate the proper venue for patent litigation, has been lauded by some as ushering in a new era in patent litigation. Others — including some federal judges who have been applying TC Heartland — have found the decision to be much less significant, say Nathan Speed and Stuart Duncan Smith of Wolf Greenfield & Sacks PC. [Read more »](#)

### **A Look At Argentina's New Anti-Corruption Law**

Argentina took a significant step this month in its efforts to combat corruption. The law creates corporate criminal liability and will have a material impact on a number of companies that now must comply or face significant potential penalties or debarment, say Kim Nemirow and Lucila Hemmingsen of Kirkland & Ellis LLP and Gustavo Morales Oliver of Marval O'Farrell & Mairal. [Read more »](#)

#### **Roundup**

### **Judging A Book**

Are the latest books on the judicial system worth reading? Federal judges share their thoughts in this series of book reviews. [Read more »](#)

## **LEGAL INDUSTRY**

### **Sedgwick To Shut Down After Deluge Of Partner Defections**

Sedgwick LLP told employees Monday morning that the firm would close at the end of December, a current firm employee confirmed to Law360 on Tuesday, capping off a year of defections and office closures that rocked the San Francisco-based firm. [Read more »](#)

### **Legal Tech Download: Dentons, Orrick Make Tech Plays**

The world of legal technology is quickly evolving, with new products aimed at aiding lawyers coming to market in rapid succession. Here, Law360 takes a look at eight major recent developments in legal tech. [Read more »](#)

### **Be Alert For Money Laundering, Watchdog Tells UK Law Firms**

The legal profession remains a high risk for money laundering, with phony investment schemes one of the biggest dangers, the regulatory body for solicitors in England and Wales warned on Tuesday. [Read more »](#)

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Lowenstein Sandler  
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Orrick Herrington  
Proskauer Rose  
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#### COMPANIES

American Civil Liberties Union  
American Cable Association  
AT&T Inc.  
American Immigration Council  
American Petroleum Institute Inc.  
Amneal Pharmaceuticals LLC  
Association for Accessible Medicines  
BB&T Corporation  
Blue Cross Blue Shield of Massachusetts  
Cincinnati Financial Corporation  
Citigroup Inc.  
Comcast Corporation  
Cray Inc  
Deutsche Lufthansa AG  
Florida Bar Association  
H.D. Smith LLC  
J.M. Smith Corp.  
Jazz Pharmaceuticals Inc.  
Keurig Green Mountain Inc.  
LG Electronics Inc.  
Lockheed Martin  
Lyft Inc.  
National Immigration Law Center  
Neota Logic Inc.  
New York Times Co.  
Oath Inc.  
OneWest Bank Group LLC

PHH Corporation  
PhRMA  
Planned Parenthood Federation  
Regions Financial Corporation  
State Street Corp.  
TechFreedom  
The Travelers Companies Inc.  
Twitter Inc.  
United States Telecom Association  
Verizon Communications  
Washington Post Co.  
Whirlpool Corporation

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
U.S. Department of Homeland Security  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
U.S. Customs and Border Protection  
United States District Court for the Eastern District of Pennsylvania  
Bureau of Citizenship and Immigration Services  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Federal Deposit Insurance Corp.  
Federal Election Commission  
Federal Financial Institutions Examination Council  
Hawaii Attorney General's Office  
International Trade Commission  
National Transportation Safety Board  
New Jersey Meadowlands Commission  
Office of the Comptroller of the Currency  
Solicitors Regulation Authority  
U.S. Department of Defense  
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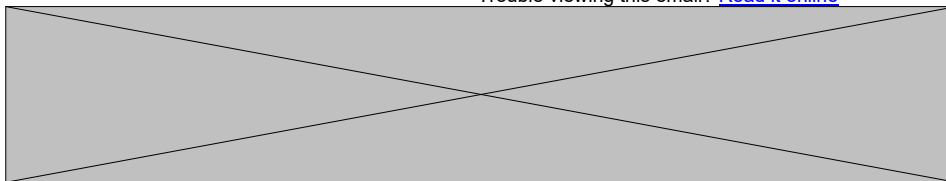
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**Sent:** Thur 3/8/2018 10:01:41 AM  
**Subject:** More agreements reached with rail labor

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## More agreements for rail labor

As ascendancy of jaw-jaw over war-war is making even a partial national rail work stoppage less probable, a tentative agreement this week between the freight railroads and their second largest labor union has further decreased such concern. [Full Article](#)

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### CONFERENCES

[Rail Freight Business Development, presented by Railway Age](#)

March 13, 2018  
Chicago, IL

[Light Rail 2018, presented by Railway Age and RT&S](#)

April 26-27, 2018  
Baltimore, MD

[Rail Insights 2018, presented by Railway Age](#)

June 7-8, 2018  
Chicago, IL

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## REMSA members represent on the Hill

More than 55 individuals representing more than 30 Railway Engineering-Maintenance Suppliers Association (REMSA) member companies brought their agendas directly to their elected representatives at Railroad Day on Capitol Hill. [Full Article](#)

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### INDUSTRY EVENTS

[2018 MARS Winter Conference](#)

March 26-31, 2018  
Lombard, IL

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## DB records sharp increase in Benelux HS traffic

In 2017, 1.1 million passenger travelled by ICE on the Frankfurt-Brussels route, while the number of passengers using the Frankfurt-Amsterdam ICE service reached a record 2.5 million. In addition, DB recorded a 10% increase in traffic on the Inter-City service. [Full Article](#)

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## Court upholds \$1.25M award to BNSF whistleblower

The three-judge panel of the 9th Circuit Court of Appeals upheld the verdict awarded in July 2015

CLV000323

to Michael Elliott, who claimed retaliation by the railroad, and that he was terminated for reporting safety violations to federal regulators. [Full Article](#)

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## TTC to perform signal upgrades on Line 1

TTC said the ATC system will be fully implemented in 2020, providing a more modern and reliable signal system. The implementation of ATC technology will also allow for a boost in the number of trains operating on Line 1. [Full Article](#)

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## First refurbished Öresund train unveiled

Refurbishment includes replacement of upholstery, floor coverings and toilet compartments, with new luggage racks, a redesigned area for passengers with wheelchairs, and a repainting with a new exterior livery, which clearly identifies the low-floor section of the train. [Full Article](#)

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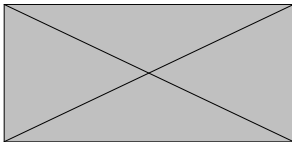
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**PUBLIC POLICY.**

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**Tuesday, May 2, 2017**

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## TOP NEWS

### Congressional Leaders Reach \$1T Budget Deal Through Sept.

Congressional negotiators have reached a deal to keep the government funded through September, announcing Sunday a more-than-\$1 trillion funding bill that would increase defense and border security spending while not allocating any funds for the president's proposed border wall. [Read more »](#)

#### Analysis

### Justices May Rein In Congress' Ability To Upend Lawsuits

The U.S. Supreme Court agreed Monday to consider whether a federal law meant to end a suit challenging a Michigan tribal casino project is an abuse of congressional authority, a move that comes as the Trump administration's attacks on the judiciary have raised more general separation of powers concerns. [Read more »](#)

### Trump Shuffles White House Trade Advisory Panels

President Donald Trump quietly inked yet another trade-related executive order over the weekend, shuttering the newly created White House National Trade Council and replacing it with a trade-focused office that will remain helmed by longtime Trump adviser Peter Navarro. [Read more »](#)

### House OKs ETF Safe Harbor, Nixes Puerto Rico Exemption

The House of Representatives on Monday passed a series of bills aimed at altering the nation's securities laws, including provisions for a research safe harbor for exchange traded funds and removal of registration exemptions for companies stationed in Puerto Rico. [Read more »](#)

### Latham & Watkins Takes On Rikers In Pro Bono Project

New York Mayor Bill de Blasio recently vowed to shutter the massive incarceration complex on Rikers Island within the next decade and instead move to a system of smaller community jails, a decision that was prompted by a 98-page report Latham & Watkins LLP attorneys helped put together pro bono. [Read more »](#)

### Border Adjustment Likely To Run Afoul Of WTO, Says Report

A controversial change to the corporate tax code favored by GOP congressional leaders would likely run afoul of World Trade Organization agreements, meaning the U.S. would be forced to make changes to the proposed regulations or face retribution from trading partners, according to a report released Friday by the Congressional Research Service. [Read more »](#)

### EB-5, H-2B Provisions Folded Into Proposed Spending Bill

Several notable immigration provisions are tucked into the bill proposed Sunday to fund the government through the rest of the fiscal year, including measures to extend the EB-5 immigrant investor program and allow for additional H-2B guest workers. [Read more »](#)

#### Analysis

## LAW FIRMS

Andrews Kurth Kenyon  
Bilzin Sumberg  
Blank Rome  
Boies Schiller  
Bracewell  
Brownstein Hyatt  
Bryan Cave  
Cotchett Pitre  
Cozen O'Connor  
Davis Wright Tremaine  
Debevoise & Plimpton  
Dewey & LeBoeuf  
Earthjustice  
Feldman Gale  
Fraser Clemens  
Fredericks Peebles  
Genova Burns  
Goldstein & Russell  
Graham & Dunn  
Jenner & Block  
Jones Day  
Latham & Watkins  
Mayer Brown  
Miller Nash  
Munger Tolles  
Native American Rights Fund  
Ropes & Gray  
Schiff Hardin  
Seward & Kissel  
Sheppard Mullin  
Shumaker Loop  
Sidley Austin  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Stoel Rives  
Van Ness Feldman

## COMPANIES

AARP Inc.

CLV000325

## DC Circ. Freeze On CPP Battle Good News For Trump's EPA

The D.C. Circuit said Friday it will either cut short a legal challenge to the controversial Clean Power Plan by remanding the regulations back to the U.S. Environmental Protection Agency or put the case on hold until the agency finishes a review of the rule, and experts say either outcome gives the Trump EPA what it wanted — a chance to completely unwind the Obama administration's signature climate change action. [Read more »](#)

## FDA Postpones Menu Labeling Rule To 2018

The U.S. Food and Drug Administration on Monday delayed menu labeling requirements for restaurants and retailers by one year and said it will look for ways to clarify and ease the obligations. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Don't Send Kids' Climate Suit To 9th Circ., Magistrate Says

An Oregon magistrate judge on Monday said the federal government and industry groups' requests to certify questions for appellate review in a suit alleging the U.S. violated the Constitution by failing to protect future generations from climate change "put the cart before the horse" and should be denied. [Read more »](#)

### Dems Send Perry Letter Of Concerns About DOE Energy Study

A letter signed by seven Democratic senators was sent to Energy Secretary Rick Perry on Monday, which expressed concerns that a study he requested on electricity markets and reliability was designed to blame renewable energy for the economic hardship faced by the coal and nuclear industries. [Read more »](#)

### High Court Will Not Hear Alaska Polar Bear Habitat Spat

The U.S. Supreme Court on Monday said it will not hear bids by Alaska, oil and gas groups, regional organizations and Alaska Native groups to reverse a Ninth Circuit decision and strike down critical habitat designations for the polar bear. [Read more »](#)

## HEALTH & LIFE SCIENCES

### AARP Seeks Quick Win In Suit On Wellness Program Regs

AARP Inc. asked Friday for a quick win in its challenge of two federal regulations letting employers penalize workers for not taking part in wellness programs, saying the U.S. Equal Employment Opportunity Commission misunderstands what would make participation "voluntary." [Read more »](#)

### Justices Won't Hear Row Over Gay Conversion Therapy Ban

The U.S. Supreme Court said on Monday it wouldn't hear an ordained minister and licensed therapist's argument that a California law banning gay conversion therapy for minors is illegal, upholding a Ninth Circuit decision in favor of the state. [Read more »](#)

## REAL ESTATE

### Airbnb, HomeAway Strike SF Rental Registration Deal

Airbnb and HomeAway reached an agreement Monday with San Francisco that establishes a mechanism to register hosts who are advertising short-term rentals through the platforms, bringing to a close a California federal lawsuit challenging an ordinance that penalized the services for noncompliance. [Read more »](#)

## EMPLOYMENT

AT&T Inc.

Advanced Energy Economy

Airbnb Inc.

American Cable Association

American Civil Liberties Union

American Enterprise Institute

American Petroleum Institute Inc.

Arctic Slope Regional Corp.

Associated Press

Bloomberg

CTIA

Center for Biological Diversity Inc.

CenturyLink Inc.

Comcast Corporation

Federal Bar Association

General Mills Inc.

HomeAway Inc.

Lambda Legal Defense & Educational Fund

National Association of Broadcasters

National Association of Convenience Stores

National Collegiate Athletic Association

National Restaurant Association

Netflix Inc.

New York Times Co.

Olgoonik Corp.

Planned Parenthood Federation

Sierra Club

Tax Foundation

Tikigaq Corp.

Twitter Inc.

U.S. Chamber of Commerce

United States Telecom Association

Verizon Communications

Wal-Mart Stores Inc.

## GOVERNMENT AGENCIES

Alaska Department of Law

Bureau of Citizenship and Immigration Services

Commodity Futures Trading Commission

Congressional Research Service

Department of Commerce

Equal Employment Opportunity Commission

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

CLV000326

## NJ City Sues Atty For Failing To Appeal Ex-Worker's Award

East Orange, New Jersey, has hit a onetime city attorney with a malpractice lawsuit in New Jersey state court alleging he failed to file an appeal of a roughly \$208,000 judgment awarded to a former municipal employee over workers' compensation claims and that he mishandled the matter during settlement discussions. [Read more](#) »

## NJ College Accused Of Firing President, GC In Retaliation

The former president and general counsel of Essex County College in New Jersey have launched a whistleblower lawsuit in state court against the school, the county executive and others over claims they were fired last year in retaliation for disclosing or threatening to disclose illicit activities related to the college's finances. [Read more](#) »

## PRIVACY & CONSUMER PROTECTION

### DHS, FTC Cybersecurity Efforts Get Lift With Spending Deal

The budget deal hammered out by congressional leaders late Sunday boosts funding for cybersecurity and privacy initiatives at the U.S. Department of Homeland Security and the Federal Trade Commission, including the allocation of nearly \$1 billion to help fortify public sector networks against cyberattacks. [Read more](#) »

### ACLU Says It Will Challenge NC Bathroom Law Repeal Bill

The American Civil Liberties Union and other civil rights groups that had challenged North Carolina's transgender bathroom law told a North Carolina federal court Friday they plan to expand their suit to target a March repeal bill, saying it "perpetuates many of [the same] harms" as its predecessor. [Read more](#) »

## GOVERNMENT CONTRACTS

### Afghan Reconstruction Efforts Need Overhaul, Report Says

The watchdog responsible for overseeing Afghanistan reconstruction suggested in a report issued Sunday that progress may have slid backward in 2016, pointing to record numbers of "security incidents" and civilian deaths, urging the Trump administration to review and adjust U.S. operations in the country. [Read more](#) »

### Ex-Speaker Hastert Wants Sanctions In FCA Suit

Former U.S. House Speaker Dennis Hastert on Monday asked an Illinois federal court to order a whistleblower to pay his attorneys' fees after the False Claims Act suit brought against him for alleged misuse of government funds was thrown out. [Read more](#) »

## INTERNATIONAL TRADE

### Belarus Sanction Relief Renewed Despite Protest Crackdown

The U.S. renewed exemptions from sanctions Friday for nine Belarusian entities, with the relief designed to push democratic reforms falling against a backdrop of March protests and hundreds of arrests by the government of President Alexander Lukashenko, a man sometimes dubbed "Europe's last dictator." [Read more](#) »

## TAX

### Tax Reform Debate Hindered By Trump Tax Cuts, Experts Say

Despite the absence of details in President Donald Trump's bullet-point list of tax proposals unveiled last week, the little information he did provide may have set the tax reform debate back with its singular focus on politically popular tax breaks, tax policy experts said on Monday. [Read more](#) »

Federal Trade Commission  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Florida State Senate  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
Library of Congress  
Match-E-Be-Nash-She-Wish Band of Pottawatomi  
NATO  
National Economic Council  
National Institutes of Health  
North Carolina Department of Justice  
Office of Foreign Assets Control  
Office of the Federal Register  
Securities and Exchange Commission  
Special Inspector General for Afghanistan Reconstruction  
U.S. Agency for International Development  
U.S. Army  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Office of Personnel Management  
U.S. Supreme Court  
United Nations  
World Bank Group  
World Trade Organization



### **Trump Wants Permanent Tax Cuts, Carried Interest Overhaul**

President Donald Trump said Monday he is sticking to his pledge to eliminate the so-called carried-interest loophole, while stressing that income tax cuts under his plan should be made permanent as opposed to expiring after 10 years, the latter of which would be easier to pass through Congress. [Read more »](#)

### **IRS Large-Business Audits Must Be More Nimble, GAO Says**

The Government Accountability Office has pressed the IRS to improve its large-business auditing processes, including with a more nimble approach better able to change with shifting circumstances, and to better prepare for a shift to issue-based examinations from continuous reviews. [Read more »](#)

### **Fla. Senate Committee Passes Broad-Based Tax Relief Bill**

A tax break package forwarded to the Florida Senate on Monday touches on some of the same areas targeted by Gov. Rick Scott before the legislative session began, but falls far short of the \$618 million in cuts he originally proposed. [Read more »](#)

### **Christie Vetoes Bill For Tax Disclosure By Prez Candidates**

New Jersey Gov. Chris Christie on Monday conditionally vetoed Democrat-backed legislation that would require presidential and vice presidential candidates to turn over their federal tax returns in order to appear on the state's ballot, calling the bill unconstitutional and "politics at its worst." [Read more »](#)

## **IMMIGRATION**

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### **Immigration Bill Roundup: Visa Extensions, H-1B Reforms**

Members of the 115th Congress in recent days took action on immigration-related bills, including measures to modify the H-1B lottery and expand visa terms for doctors, seasonal dairy workers and specialty workers from South Korea. [Read more »](#)

### **Maine Gov. Sues AG For Not Supporting Executive Orders**

Maine's governor has sued the state's attorney general in state court, alleging that her political disagreements with his office and refusal to support President Donald Trump's policies have cost the state hundreds of thousands of dollars in outside counsel fees. [Read more »](#)

## **NATIVE AMERICAN**

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### **High Court To Mull Law That Blocked Tribal Casino Suit**

The U.S. Supreme Court agreed Monday to consider whether a federal law that put an end to a Michigan man's lawsuit challenging a tribal casino project near his land violates constitutional separation of powers principles. [Read more »](#)

## **TELECOMMUNICATIONS**

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### **FCC Will Take Up Media Rules At May Meeting, Pai Says**

Although a proposed rollback of Title II broadband classification has attracted much of the recent spotlight leading up to the Federal Communications Commission's May 18 open meeting, Chairman Ajit Pai recently previewed other items, including media rules, that he said the agency will consider paring down during the session. [Read more »](#)

### **Apps Group Presses FCC To Clear 5G Infrastructure Barriers**

An apps industry group has lobbied Federal Communications Commissioner Michael O'Rielly to move forward with plans to take down roadblocks to rolling wireless infrastructure, saying the app economy relies on high-speed wireless broadband. [Read more »](#)

## **DC Circ. Refuses To Rehear Net Neutrality Challenge**

The D.C. Circuit on Monday denied requests for full court rehearing of a panel decision upholding the Federal Communications Commission's 2015 open internet rules, issuing the order days after new FCC Chairman Ajit Pai floated a draft plan to strip them. [Read more »](#)

## **FCC Plans To List Counties For Biz Data Deregulation**

The Federal Communications Commission said Friday it plans to reveal which regions of the country will be deemed competitive and subject to deregulation for the business data services market and that it's seeking any objections from affected companies before it does. [Read more »](#)

## **PEOPLE**

### **Debevoise Adds Ex-SEC FCPA Chief To White Collar Practice**

A month after stepping down as head of the U.S. Securities and Exchange Commission unit dedicated to enforcing the Foreign Corrupt Practices Act, Kara Brockmeyer announced Monday she has joined Debevoise & Plimpton LLP's Washington, D.C., office as a partner in its white collar and strategic crisis response groups. [Read more »](#)

## **EXPERT ANALYSIS**

### **How Recent Executive Orders May Affect SEC And CFTC**

The first 100 days of the Trump administration have brought numerous directives designed to reshape the regulatory landscape for financial institutions that ultimately may result in dramatic changes to government departments and agencies, says David Tittsworth of Ropes & Gray LLP. [Read more »](#)

### **A Look At FCC Broadband Deployment Proposal**

Last month, the Federal Communications Commission released the final version of its combined notice of proposed rulemaking, notice of inquiry and request for comment pertaining to accelerated wireline broadband deployment. The FCC is seeking to expedite and reduce the costs of deployment, while also seeking comment on whether the commission should preempt state and local government impediments to deployment, say Maria Browne and John Seiver of Davis Wright Tremaine LLP. [Read more »](#)

### **What Employers Should Know About New Paid Leave Bill**

While the recently introduced "Family and Medical Insurance Leave Act" borrows some principles from the Family and Medical Leave Act, it would cover considerably more employees and impact many more employers, say Christine Samsel and Hannah Caplan of Brownstein Hyatt Farber Schreck LLP. [Read more »](#)

## **Opinion**

### **Pro-Business Agenda Threatens Consumer Legal Funding**

The current push by the U.S. Chamber of Commerce to ban consumer legal funding is an example of a pro-business policy masquerading as a pro-market policy. Voters should demand pro-market reforms and reject protectionist tariffs that threaten our economic growth and innovation, says Jeremy Kidd of Mercer University's Walter F. George School of Law. [Read more »](#)

### **Web Servers: An Overlooked Cybersecurity Risk At Law Firms**

Many law firms use public-facing websites for business development and to streamline a number of operational processes that make lawyer-client collaboration more efficient. While these websites are excellent for maximizing information-sharing, they could unknowingly be an unlocked gateway into a firm's most confidential data, says Jeff Schilling, chief security officer for Armor Defense Inc. [Read more »](#)

### Fraud Retrial Of Dewey Execs Heads To Jury

The fraud case against two former top executives of Dewey & LeBoeuf LLP went to the jury Monday, after prosecutors finished closing arguments by claiming that former Dewey Executive Director Stephen DiCarmine and Chief Financial Officer Joel Sanders “engineered, controlled and assisted” a multiyear fraud scheme. [Read more »](#)

### IP Boutique Acquisitions Continue With Shumaker Loop Move

Shumaker Loop & Kendrick LLP announced Monday it has joined forces with Ohio-based intellectual property firm Fraser Clemens Martin & Miller LLC and its 10 attorneys, as IP boutiques continue to link up with bigger firms to maintain their place in a growing and increasingly more competitive market. [Read more »](#)

### Plaintiffs Bar Perspective: Bilzin Sumberg's Scott Wagner

Opt-out litigation is not new, but it is taking on a more prevalent role in antitrust cases. Over the last decade, there have been a significant number of cases with a large number of opt-outs, says Scott Wagner, partner at Bilzin Sumberg Baena Price & Axelrod LLP. [Read more »](#)

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Graham & Dunn  
Jenner & Block  
Jones Day  
Latham & Watkins  
Mayer Brown  
Miller Nash  
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Ropes & Gray  
Schiff Hardin  
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Sheppard Mullin  
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Squire Patton Boggs  
Steptoe & Johnson LLP  
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#### COMPANIES

AT&T Inc.  
Tax Foundation  
AARP Inc.  
Advanced Energy Economy  
Airbnb Inc.  
American Cable Association  
American Civil Liberties Union  
American Enterprise Institute  
American Petroleum Institute Inc.  
Arctic Slope Regional Corp.  
Associated Press  
Bloomberg  
CTIA  
Center for Biological Diversity Inc.  
CenturyLink Inc.  
Comcast Corporation  
Federal Bar Association  
General Mills Inc.  
HomeAway Inc.  
Lambda Legal Defense & Educational Fund  
National Association of Broadcasters  
National Association of Convenience Stores  
National Collegiate Athletic Association  
National Restaurant Association  
Netflix Inc.  
New York Times Co.  
Olgoonik Corp.  
Planned Parenthood Federation  
Sierra Club  
Tikigaq Corp.  
Twitter Inc.  
U.S. Chamber of Commerce  
United States Telecom Association  
Verizon Communications  
Wal-Mart Stores Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
Federal Communications Commission  
Securities and Exchange Commission  
U.S. Department of Justice  
Federal Trade Commission

Congressional Research Service  
Department of Commerce  
Executive Office of the President  
Internal Revenue Service  
Match-E-Be-Nash-She-Wish Band of Pottawatomí  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of the Interior  
Alaska Department of Law  
Bureau of Citizenship and Immigration Services  
Commodity Futures Trading Commission  
Equal Employment Opportunity Commission  
Federal Bureau of Investigation  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Florida State Senate  
Food and Drug Administration  
Government Accountability Office  
Library of Congress  
NATO  
National Economic Council  
National Institutes of Health  
North Carolina Department of Justice  
Office of Foreign Assets Control  
Office of the Federal Register  
Special Inspector General for Afghanistan Reconstruction  
U.S. Agency for International Development  
U.S. Army  
U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
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United Nations  
World Bank Group  
World Trade Organization

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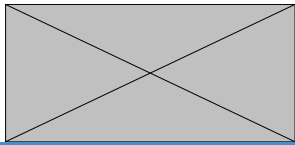
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**Subject:** [Marketing Mail] Trump's Enforcement Flexing Has Trade Bar Energized



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**Monday, May 8, 2017**

### TOP NEWS

#### Analysis

#### **Trump's Enforcement Flexing Has Trade Bar Energized**

The early days of the Trump administration have been marked by aggressive trade enforcement moves that have emboldened the petitioners' side of the trade bar to aggressively pursue creative avenues to secure tariff relief for their clients. [Read more »](#)

#### Analysis

#### **What NYC's New Tax Abatement Program Means For Attorneys**

The replacement for New York City's 421-A property tax exemption program, now called Affordable New York, was codified with the state budget passed last month and developers and their attorneys are working to figure out what will be required to qualify under the new program and how the process will work. Law360 takes a look at Affordable New York and some of the issues real estate attorneys will be grappling with as the new program starts to get used. [Read more »](#)

#### **Embattled Army Sec. Nominee Steps Down**

President Donald Trump is now 0 for 2 on nominees to serve as Secretary of the Army after Tennessee State Sen. Mark Green announced Friday he has withdrawn his nomination for the position amid backlash over his record on issues of LGBTQ rights, women's rights and religious liberty. [Read more »](#)

#### Analysis

#### **FCC's Broadband Reversal Puts Expanded Access In Doubt**

The Federal Communications Commission's plan to reverse the classification of broadband as a utility and rethink net neutrality rules may also undercut the agency's ability to expand broadband through its universal service fund, as it may no longer be deemed an essential telecom service and eligible for support under the program, according to experts and the commission's sole Democratic member. [Read more »](#)

#### **ABA Raises Concerns Over DHS Searches Of Lawyer Devices**

The American Bar Association on Friday called for a review and modification of U.S. Department of Homeland Security rules permitting the search of lawyers' laptop computers, cellphones and other electronic devices at U.S. border crossings, citing confidentiality and privilege concerns. [Read more »](#)

#### Analysis

#### **9th Circ. Ruling Deepens Debate Over Equal Pay Act**

### LAW FIRMS

Arnold & Porter Kaye Scholer  
Bradley Arant  
Brownstein Hyatt  
Carroll McNulty  
Clark Hill  
Cleary Gottlieb  
Cohen Milstein  
Cooper & Kirk  
Covington & Burling  
DLA Piper  
Davis Wright Tremaine  
Dentons  
Dewey & LeBoeuf  
Dickinson Wright  
Earthjustice  
Ethridge Quinn  
Fisher Phillips  
Gibson Dunn  
Hogan Lovells  
Jenner & Block  
Jones Day  
Katz Marshall  
Kelley Drye  
Kilpatrick Townsend  
King & Spalding  
Kirkland & Ellis  
Kohn Kohn  
Kramer Levin  
Lane & Waterman  
Latham & Watkins  
Mandelbaum Salsburg  
Mayer Brown  
McGuireWoods

CLV000333

A Ninth Circuit decision last month exposed a divide among circuit courts over whether the federal Equal Pay Act allows basing an employee's salary on pay history alone, further fueling ongoing policy debates about closing the gender pay gap. [Read more »](#)

### **Pruitt Takes Himself Off CPP, Waters Of US Cases**

U.S. Environmental Protection Agency Administrator Scott Pruitt on Thursday said he will not participate in several pending lawsuits involving the agency, many of which he pursued as Oklahoma attorney general. [Read more »](#)

### **Ex-Rep. Schock Fights 'Opaque' Government Theft Charge**

Former U.S. Rep Aaron Schock asked an Illinois federal court Friday to dismiss one of the 24 counts he is facing over allegations that the Peoria, Illinois, Republican stole more than \$100,000 in campaign and congressional funds, calling the count overly broad, repetitive and prejudicial. [Read more »](#)

## **BANKING & SECURITIES**

### **DC Circ. Told To Embrace 10th Circ. Ruling On SEC Judges**

An investment adviser urged the D.C. Circuit on Thursday to follow the Tenth Circuit's lead in finding that the U.S. Securities and Exchange Commission's in-house judges are unconstitutional, pointing to the Tenth Circuit's recent refusal to rehear the issue. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

### **BLM Will Rethink California Fracking Plan**

The Bureau of Land Management agreed to redo a resource management plan for large tracts of land in California that would have been opened to fracking and oil drilling, a win for environmentalists who alleged that the agency failed to consider the plan's risks. [Read more »](#)

### **Sen. Rubio Floats Bill To Extend Florida-Area Gulf Drilling Ban**

U.S. Sen. Marco Rubio, R-Fla., on Thursday introduced legislation that would extend a drilling ban in the Gulf of Mexico off Florida's coast to 2027 but would also give the Sunshine State a cut of the offshore drilling revenues doled out to the other four Gulf states. [Read more »](#)

### **High Court Pressed To Nix Virginia's Uranium Mining Ban**

A uranium company has urged the U.S. Supreme Court to overturn Virginia's ban on uranium mining, arguing that the Fourth Circuit's backing of the ban conflicts with high court precedent that holds that state laws addressing radiation dangers are preempted by the Atomic Energy Act. [Read more »](#)

### **BLM Asks 10th Circ. To Pause Fracking Rule Litigation**

The U.S. Bureau of Land Management asked the 10th Circuit on Friday to hold in abeyance litigation over its rule imposing restrictions on fracking practices on federal and tribal lands, saying the Obama-era regulations may not reflect the Trump administration's policies. [Read more »](#)

### **DOI Shakes Enviros' Offshore Drilling Review Suit**

A Washington, D.C., federal judge said Thursday the Interior Department isn't required to complete a long-pending review of its practice of approving offshore drilling permits without site-specific environmental reviews under a federal regulation cited by the Center for Biological Diversity, explaining why she tossed the group's challenge earlier this year. [Read more »](#)

## **HEALTH & LIFE SCIENCES**

Morgan Lewis  
Orrick Herrington  
Paul Hastings  
Perkins Coie  
Rosenberg & Estis  
Sauer & Wagner  
Seward & Kissel  
Sidley Austin  
Siegel & Yee  
Skadden  
Stris & Maher  
Stroock & Stroock  
Taylor Wessing  
Thompson & Knight  
Wiley Rein  
WilmerHale  
Wilson Elser  
Zuckerman Spaeder

## **COMPANIES**

AT&T Inc.  
Allstate Corporation  
Amazon.com Inc.  
American Bar Association  
American Civil Liberties Union  
American Enterprise Institute  
American Petroleum Institute Inc.  
Boehringer Ingelheim  
Center for American Progress  
Center for Biological Diversity Inc.  
CenturyLink Inc.  
Cisco Systems Inc.  
Comcast Corporation  
Conference of State Bank Supervisors  
Facebook  
Hartford Financial Services Group Inc.  
Helsinn Healthcare SA  
Human Rights Campaign  
Intel Corporation  
Johnson & Johnson  
LexisNexis Group  
Lippman Jungers LLC  
Lyft Inc.  
Mattel, Inc.  
Mexican American Legal Defense and Education Fund  
National Immigration Law Center  
New York Times Co.  
Northeastern University  
Oracle Corp.



## Analysis

### FDA Leaders Dish On Agency Policies Under Trump

U.S. Food and Drug Administration leaders, as well as experts from Big Pharma and BigLaw, took the stage on Thursday at a major annual conference and shared wide-ranging perspectives on the agency's likely priorities and policies under the Trump administration. Here are four key takeaways from the nonprofit Food and Drug Law Institute's annual gathering. [Read more »](#)

## MEDIA & ENTERTAINMENT

### Mass. Anti-SLAPP Law Is Unconstitutional, 1st Circ. Told

A Massachusetts law protecting First Amendment speech and petitioning from lawsuits — called an anti-SLAPP law — is currently unconstitutional because it deprives plaintiffs of their rights to a trial by jury, a disgruntled homeowner suing an architectural firm over allegedly inaccurate drawings told the First Circuit on Thursday. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### Feds Investigating Uber For Regulator-Dodging Software

Uber is under federal investigation for using a software tool allowing it to dodge local transportation regulators that were cracking down on the ride-hailing giant's unauthorized operations in certain cities and regions, according to a Thursday report. [Read more »](#)

## GOVERNMENT CONTRACTS

### GSA Fell Short On Improper Payments Compliance, OIG Says

The U.S. General Services Administration fell short of meeting its statutory requirements to help reduce improper payments in 2016, with its evaluation and reporting of those payments both off the mark, a GSA watchdog claimed Thursday. [Read more »](#)

### VA Needs To Improve Facility Planning, GAO Says

The U.S. Department of Veterans Affairs should make changes in its processes meant to align its portfolio of facilities with veterans' needs and locations, as its current processes are too slow and fail to account for all necessary factors to ensure facilities are properly planned, the U.S. Government Accountability Office said in a report Friday. [Read more »](#)

## INTERNATIONAL TRADE

### USTR Pick To Move Forward Next Week, McConnell Says

The confirmation of U.S. Trade Representative nominee Robert Lighthizer will move forward, Senate Majority Leader Mitch McConnell said on the floor Thursday, after votes Monday on the president's picks to head the U.S. Air Force and the U.S. Food and Drug Administration. [Read more »](#)

### Trump Trade Deals Must Share TPP's Goals, CRS Says

Despite President Donald Trump's derision of the Trans-Pacific Partnership, the administration remains bound to pursue the same objectives underlying the now-shelved agreement in any new major trade negotiations or face a morass of congressional gridlock, according to a report released Thursday by the Congressional Research Service. [Read more »](#)

## TAX

PG&E Corporation  
Reed Elsevier  
Robert Half International Inc.  
Temple-Inland Inc.  
The Boeing Company  
Trillium Asset Management LLC  
Uber Technologies Inc.  
Verizon Communications  
Volkswagen  
Washington Post Co.  
Watanabe Nason

## GOVERNMENT AGENCIES

Animal and Plant Health  
Inspection Service  
Bureau of Labor Statistics  
Bureau of Land Management  
California Energy Commission  
Central Intelligence Agency  
Congressional Budget Office  
Congressional Research Service  
Consumer Financial Protection  
Bureau  
Department of Commerce  
Executive Office of the President  
Federal Communications  
Commission  
Federal Deposit Insurance Corp.  
Federal Housing Finance Agency  
Federal Maritime Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Government Accountability Office  
International Thermonuclear  
Experimental Reactor  
Maritime Administration  
National Institutes of Health  
National Oceanic and  
Atmospheric Administration  
National Security Agency  
New York Attorney General's  
Office  
Nuclear Regulatory Commission  
Office of the Comptroller of the  
Currency  
Securities and Exchange  
Commission  
Small Business Administration  
U.S. Air Force  
U.S. Army  
U.S. Attorney's Office  
U.S. Customs and Border  
Protection



## Del. Unclaimed Property Rules Defy Ruling, Tax Group Says

Delaware's new unclaimed property rules fail to meet the standards of the court ruling they were drafted to address, an interstate trade association told the state's Department of Finance on Wednesday. [Read more »](#)

## Federal Court Again Upholds Colo. Taxpayer Bill Of Rights

A Colorado federal court on Thursday tossed a challenge to the state's Taxpayer Bill of Rights on the basis that it violated legislative taxing powers, ruling that the lawmakers, school districts, political subdivisions and citizens bringing the suit lacked standing to sue. [Read more »](#)

## IMMIGRATION

### State Dept. Proposes Tougher Visa Questioning Process

The U.S. Department of State is seeking to implement stricter visa questioning in line with President Donald Trump's so-called extreme vetting measures, according to a document published by the Federal Register on Thursday, which outlines newly proposed reporting requirements from selected travelers. [Read more »](#)

### DOL Needs Authority To Curb H-1B Visa Abuse, Senators Say

U.S. Sens. Chuck Grassley, R-Iowa, and Dick Durbin, D-Ill., called on colleagues on Friday to pass legislation they authored giving the U.S. Department of Labor added authority to investigate skilled foreign worker visa programs such as the H-1B program, saying it would prevent businesses from replacing U.S. workers with cheaper foreign labor. [Read more »](#)

### Caseworkers Can't Be Blocked From Farms, Judge Rules

Caseworkers, including legal aid workers, should enjoy First Amendment protection in making outreach visits to migrant workers living on their employers' land, a Maryland federal judge has ruled, saying caseworkers hit with now-rescinded trespassing notices may keep pursuing most of their claims. [Read more »](#)

### Jeb Bush Backs Ariz. In Immigrant Licenses Dispute

Former Florida Gov. Jeb Bush has become the latest public figure to support Arizona as it asks the U.S. Supreme Court to review a Ninth Circuit decision that permanently barred the state from refusing driver's licenses to immigrants brought to the country illegally as children. [Read more »](#)

## NATIVE AMERICAN

### Calif. Tribe Battles Bid To Toss Federal Recognition Suit

The Tsi Akim Maidu of Taylorsville Rancheria fought back Thursday against the U.S. Department of the Interior's bid to nix the tribe's suit seeking to compel the federal government to find that the tribe never lost its status as federally recognized, rejecting the contention that its claims are barred by a statute of limitations. [Read more »](#)

## TELECOMMUNICATIONS

### Oracle Backs FCC In Nixing Open Internet Regs

Oracle Corp. in a letter on Friday praised a Federal Communications Commission plan to undo the legal framework for 2015 net neutrality rules, telling the FCC that the draft proposal would be a step forward to update rules "in the complex and converging broadband world." [Read more »](#)

### FCC Chief Touts Deployment, Deregulation In First 100 Days

Federal Communications Commission Chairman Ajit Pai said in remarks Friday that the first 100 days of his chairmanship have been a productive period marked by

U.S. Department of Agriculture  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Senate  
U.S. Supreme Court  
United Nations  
World Trade Organization

progress on closing the digital divide, boosting innovation, cutting regulatory red tape and improving internal processes. [Read more »](#)

### **Seattle Boosts Broadband Privacy In Wake Of Bill Nixing Rules**

The city of Seattle has issued a rule to strengthen broadband privacy for consumers a month after President Donald Trump signed a bill eliminating privacy rules for broadband providers set by the Federal Communications Commission late in the Obama administration. [Read more »](#)

### **Rural Broadband Group Wants FCC To Review Privacy Rules**

A trade group for rural internet providers has told the Federal Communications Commission that its privacy rules for telecom companies differ from the Federal Trade Commission's privacy approach and the agency should take a fresh look at its framework or risk hitting companies with two sets of standards. [Read more »](#)

## **EXPERT ANALYSIS**

### **The Good, The Bad And The Ugly Of The AHCA**

Much of the mass media coverage of the American Health Care Act recently passed by the U.S. House of Representatives has focused on the same few aspects of the bill. Dennis Alessi of Mandelbaum Salsburg PC discusses several provisions that have not been reported as widely — but which are of significant importance — and the expected impact of the bill. [Read more »](#)

### **How Brexit May Harm The US Nuclear Industry**

As it exits the European Union, the United Kingdom will also withdraw from Euratom — the European Atomic Energy Community. But U.S.-U.K. trade in nuclear materials is authorized through the U.S.-Euratom agreement. So unless swift action is taken to execute a new bilateral agreement, U.S.-U.K. nuclear trade may grind to a halt in 2019, says John Matthews of Morgan Lewis & Bockius LLP. [Read more »](#)

#### **Opinion**

### **Why Wildlife Whistleblower Rewards Need Work**

Laws governing wildlife whistleblower rewards have existed for over 30 years, and apply to informants who provide information on crimes covering animals, fish and plants. Unfortunately, they have not been effectively utilized as the powerful tool that Congress intended, say Steven Kohn of Kohn Kohn & Colapinto LLP and Ashley Binetti of the National Whistleblower Center. [Read more »](#)

### **State Bank Regulators To OCC: 'Innovation' Starts In States**

The Office of the Comptroller of the Currency's recent proposal to create special-purpose national bank charters for financial technology companies is not without political concerns. As a result, some opposition has developed on both sides of the congressional aisle, says Thomas Brooks of Clark Hill PLC. [Read more »](#)

### **In Congress: House Out Of Town**

After the most significant and dramatic week of the 115th Congress, having kept the government funded through the end of the fiscal year and passed its bill to repeal the Affordable Care Act, the House is on a scheduled district work period. The Senate is the only chamber in session this week, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP. [Read more »](#)

## **LEGAL INDUSTRY**

#### **Analysis**

### **4 Ways Laterals Can Spot A Toxic Law Firm Before Day 1**

Many attorneys are lured laterally to new law firms that appear placid from the outside but that they discover soon after accepting a job offer are actually plagued by toxic workplace cultures. Here are four red flags that a law firm may be trying to hide bad blood. [Read more »](#)

## Legal Jobs Bounce Back In April After Rough Start To 2017

The legal services industry rebounded in April after a three-month slide, gaining more than 1,000 jobs and seeing positive growth for the first time in 2017, according to the monthly jobs report released Friday by the Bureau of Labor Statistics. [Read more »](#)

## Dewey Jury Eyes Execs' Actions In \$150M Bond Offering

A New York jury deliberating fraud charges against two former Dewey & LeBoeuf LLP executives requested testimony Friday regarding what investors in a \$150 million private bond offering were told about the ailing firm's finances and who told them. [Read more »](#)

## Jenner & Block \$3M Fee Win Appealed To Supreme Court

Patent holding company Parallel Networks LLC has asked the U.S. Supreme Court to hear a dispute between it and Jenner & Block LLP over a lower court's finding that an agreement allowed the firm to drop its representation of Parallel Networks and still receive \$3 million in fees, after Texas' high court declined the case. [Read more »](#)

## Legal Tech Download: Mergers And New Office Openings

The world of legal technology is quickly evolving, with new products aimed at aiding lawyers coming to market in rapid succession. Here, Law360 takes a look at six major recent developments in legal tech. [Read more »](#)

## In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

### **JOBS**

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### **LAW FIRMS**

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[Arnold & Porter Kaye Scholer](#)

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[Jones Day](#)

[Katz Marshall](#)

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Kilpatrick Townsend  
King & Spalding  
Kirkland & Ellis  
Kohn Kohn  
Kramer Levin  
Lane & Waterman  
Latham & Watkins  
Mandelbaum Salsburg  
Mayer Brown  
McGuireWoods  
Orrick Herrington  
Paul Hastings  
Perkins Coie  
Rosenberg & Estis  
Sauer & Wagner  
Seward & Kissel  
Sidley Austin  
Siegel & Yee  
Stris & Maher  
Stroock & Stroock  
Taylor Wessing  
Thompson & Knight  
Wiley Rein  
WilmerHale  
Wilson Elser  
Zuckerman Spaeder

#### COMPANIES

American Civil Liberties Union  
Facebook  
AT&T Inc.  
Center for Biological Diversity Inc.  
Washington Post Co.  
Allstate Corporation  
Amazon.com Inc.  
American Bar Association  
American Enterprise Institute  
American Petroleum Institute Inc.  
Boehringer Ingelheim  
Center for American Progress  
CenturyLink Inc.  
Cisco Systems Inc.  
Comcast Corporation  
Conference of State Bank Supervisors  
Hartford Financial Services Group Inc.  
Helsinn Healthcare SA  
Human Rights Campaign  
Intel Corporation  
Johnson & Johnson  
LexisNexis Group

Lippman Jungers LLC  
Lyft Inc.  
Mattel, Inc.  
Mexican American Legal Defense and Education Fund  
National Immigration Law Center  
New York Times Co.  
Northeastern University  
Oracle Corp.  
PG&E Corporation  
Reed Elsevier  
Robert Half International Inc.  
Temple-Inland Inc.  
The Boeing Company  
Trillium Asset Management LLC  
Uber Technologies Inc.  
Verizon Communications  
Volkswagen  
Watanabe Nason

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Communications Commission  
Food and Drug Administration  
U.S. Department of Homeland Security  
U.S. Department of the Interior  
Federal Trade Commission  
Bureau of Land Management  
Department of Commerce  
Executive Office of the President  
Government Accountability Office  
Nuclear Regulatory Commission  
Securities and Exchange Commission  
U.S. Customs and Border Protection  
U.S. House of Representatives  
Animal and Plant Health Inspection Service  
Bureau of Labor Statistics  
California Energy Commission  
Central Intelligence Agency  
Congressional Budget Office  
Congressional Research Service  
Consumer Financial Protection Bureau  
Federal Deposit Insurance Corp.  
Federal Housing Finance Agency  
Federal Maritime Commission  
Fish and Wildlife Service  
International Thermonuclear Experimental Reactor  
Maritime Administration  
National Institutes of Health  
National Oceanic and Atmospheric Administration  
National Security Agency

New York Attorney General's Office  
Office of the Comptroller of the Currency  
Small Business Administration  
U.S. Air Force  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Veterans Affairs  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. Senate  
United Nations  
World Trade Organization

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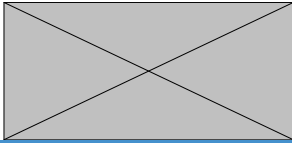
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 12/5/2018 8:25:33 AM  
**Subject:** DC, Md. AGs Seek Trump Org. Tax Records In Emoluments Suit



**PUBLIC POLICY.**

## The Data-Driven Lawyer

Meet the 2018 award winners and get insights into their innovative practices.

**Wednesday, December 5, 2018**

### TOP NEWS

#### **DC, Md. AGs Seek Trump Org. Tax Records In Emoluments Suit**

The attorneys general of Washington, D.C., and Maryland said Tuesday they've begun issuing several subpoenas, including to the Trump Organization and the U.S. Treasury, as part of a lawsuit alleging President Donald Trump violated the U.S. Constitution's emoluments clause. [Read full article »](#)

#### **Flynn Gave 'Firsthand' Info, Could Avoid Time, Mueller Says**

Former national security adviser Michael Flynn, who pled guilty to lying to the FBI about his conversations with Russia's ambassador, provided "firsthand information" about the contact between President Donald Trump's team and Russian officials and should be sentenced leniently, special counsel Robert Mueller said Tuesday. [Read full article »](#)

#### **DC Circ. Asks Why Gov't Legal Opinions Are FOIA-Exempt**

The U.S. Justice Department faced pointed questions from D.C. Circuit judges Tuesday about its rationale for keeping legal advice to federal agencies from public view. [Read full article »](#)

#### **Matt Whitaker Will Review Asylum Eligibility, Other Relief**

Acting Attorney General Matthew Whitaker has moved to weigh in on issues related to eligibility for asylum and other immigration protections, indicating that he intends to continue his predecessor's practice of referring Board of Immigration Appeals cases to himself for review. [Read full article »](#)

#### **Sens. Sour On Saudi Arms Sales After Khashoggi Briefing**

Several key senators said they want to crack down on arms deals with Saudi Arabia after a Tuesday briefing on the Saudi crown prince's alleged involvement in the murder of Washington Post journalist Jamal Khashoggi. [Read full article »](#)

### SERIES SPOTLIGHT

#### **Data-Driven Lawyer: Littler's Scott Forman**

Littler Mendelson PC shareholder Scott Forman's innovative case management platform helps his firm analyze litigation data, craft defense strategies, predict outcomes and greatly reduce client costs, earning him a spot on our 2018 list of Data-Driven Lawyers. [Read full article »](#)

[Listen to our new podcast here](#)

#### **LAW FIRMS**

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BakerHostetler  
Barnes & Thornburg  
Boies Schiller  
Bona Law PC  
Cohen Milstein  
Cosgrove Eisenberg  
Covington & Burling  
Cummins & Cummins  
Davis Wright Tremaine  
DiMuroGinsberg PC  
Drummond Woodsum  
Earthjustice  
Faegre Baker  
Foley Hoag  
Gaskins Bennett  
Gibson Dunn  
Goldstein & Russell  
Gupta Wessler  
Hogan Lovells  
Holland & Knight  
Jenner & Block  
K&L Gates  
Kanji & Katzen  
Kelly Hart  
Kelly Remmel  
Kilpatrick Townsend  
Kirkland & Ellis

CLV000342

## BANKING & SECURITIES

### Singapore Regulator Releases Guide For Token Offerings

The Monetary Authority of Singapore on Monday released a guide describing how digital token offerings fall under the purview of the nation's securities laws, weeks after a bill aimed at streamlining payment services regulation was introduced in the Singapore Parliament. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

### EPA Gets Year To Rethink Maine Tribal Water Decisions

A Maine federal judge has granted the U.S. Environmental Protection Agency's request that its decisions disapproving certain Maine quality standards for waters near tribal lands be remanded to the agency, giving the Trump administration until next December to come up with a new ruling. [Read full article »](#)

### States Knock FERC's GHG Analysis Rollback At DC Circ.

A coalition of left-leaning states and local governments told the D.C. Circuit that the Federal Energy Regulatory Commission got it wrong when it announced a curtailed policy for analyzing certain pipeline projects' climate change impacts. [Read full article »](#)

### Enviros Seek Info On EPA Meetings With Wheeler's Old Firm

Environmental groups on Tuesday urged a D.C. federal court to force the U.S. Environmental Protection Agency to turn over records of meetings and correspondence with acting Administrator Andrew Wheeler's former law firm of Faegre Baker Daniels LLP, as well as communications it has had with several oil and gas companies. [Read full article »](#)

## IP & TECHNOLOGY

### USPTO Defends Patent Prosecution Retakes To Fed. Circ.

The U.S. Patent and Trademark Office asked the full Federal Circuit on Monday to reject prolific inventor Gilbert Hyatt's request for review of the agency's ability to reopen patent prosecution rather than hearing an appeal, saying the practice is consistent with the Patent Act. [Read full article »](#)

## EMPLOYMENT

### Canning Whistleblower Wasn't A Fiduciary Breach: 9th Circ.

A Ninth Circuit panel offered a mixed ruling Tuesday in a U.S. Department of Labor suit against a union's former business manager accused of conspiring with his lover — the union benefit funds' attorney — to force out a whistleblower, deciding that retaliation occurred but not a fiduciary breach. [Read full article »](#)

### PBGC Proposes Form To Help Decide What's A Church Plan

Plan sponsors who question whether their plan must pay premiums to the Pension Benefit Guaranty Corp. could ask the agency to determine whether the law requires them to by using a new form proposed Tuesday. [Read full article »](#)

### NYC Approves Base Pay Rules For Uber, Lyft Drivers

New York City officials voted Tuesday to establish a first-of-its-kind minimum pay rate for drivers who drive for app-based ride-hailing companies such as Uber and Lyft, ensuring they'll be paid a standard rate for trips, which officials say will help support a livable wage. [Read full article »](#)

### NJ Senate To Weigh Bill On Hotel Worker 'Panic Buttons'

A New Jersey Senate panel on Monday advanced a bill that would require hotels to

Latham & Watkins

Littler Mendelson

McDermott Will

O'Melveny & Myers

Paul Hastings

Quinn Emanuel

Shipley Snell

Sidley Austin

Squire Patton Boggs

Tucker Ellis

Williams & Jensen

## COMPANIES

AT&T Inc.

Air Transport Association of America

Altman Weil Inc.

Amazon.com Inc.

American Cable Association

American Conference Institute

American Federation of State, County and Municipal Employees

American Federation of Teachers

American Hotel & Lodging Association

Apple Inc.

Bass Pro Shops

Burford Capital LLC

Cabela's Inc.

Cable News Network Inc.

California Teachers Association

Center for Biological Diversity

Charter Communications Inc.

Chicago Bulls

Chicago Cubs

Citizens for Responsibility and Ethics in Washington

ConocoPhillips Co.

Continental Resources Inc.

Counsel on Call Services Inc.

Devon Energy Corp.

Dominion Energy Inc.

Ennis Inc.

Food Network

General Motors

Google Inc.

Harbour Litigation Funding Ltd.

Hilton Worldwide Inc.

IMF Bentham Ltd.

Immigration Reform Law Institute

Judicial Watch Inc.

LexisNexis Group

LinkedIn Corp.



give portable "panic buttons" to housekeeping staff and room service employees to protect them from assault and sexual harassment by guests and co-workers. [Read full article »](#)

### **DOL's Teen Workers Data Misleading, Think Tank Says**

The U.S. Department of Labor misconstrued a survey it used to justify proposing a rollback of a rule limiting the work teenagers can perform in nursing homes and hospitals, the National Employment Law Project said Monday, touting its copy of data it said the agency withheld. [Read full article »](#)

### **High Court Urged To Deal Fresh Blow To Public Unions**

A Minnesota college professor urged the U.S. Supreme Court on Tuesday to rule that the state violated her constitutional rights by forcing her to associate with a union, teeing up a legal challenge in which the high court's recent Janus ruling could be used as a sword to cut down public unions' exclusive representation rights. [Read full article »](#)

### **Airline Group Urges Justices To Hear Wash. Family Leave Row**

A leading airlines lobbying group on Monday urged the U.S. Supreme Court to reverse an en banc Ninth Circuit decision that an Alaska Airlines flight attendant's fight to use accrued vacation days for family medical leave purposes wasn't preempted by federal law. [Read full article »](#)

## **COMPETITION**

### **Analysis**

#### **In AT&T Round 2, Attys Say DOJ Swinging At Air**

The U.S. Department of Justice will try to convince a D.C. Circuit panel Thursday to revive its challenge to AT&T's purchase of Time Warner, in what experts say is a fight the DOJ has little chance of winning. [Read full article »](#)

#### **Nexstar's \$6.4B Tribune Buy Means Blackouts, ACA Says**

Nexstar Media Group Inc.'s proposed \$6.4 billion pickup of Tribune Media Co. drew harsh criticism Tuesday from the American Cable Association, as the group's president said, absent strong conditions, Nexstar will bully distributors into fee hikes and go as far as to time blackouts during primetime events. [Read full article »](#)

## **CYBERSECURITY & PRIVACY**

### **FTC Reconsiders Rules Governing Identity Theft Detection**

The Federal Trade Commission called for public comment Tuesday on whether the consumer protector is effectively regulating identity theft protocols and indicated the agency wants to hear from financial institutions. [Read full article »](#)

## **INTERNATIONAL TRADE**

### **'Tariff Man' Trump Holds Open Extension Of China Truce**

President Donald Trump on Tuesday raised the possibility that his 90-day tariff ceasefire with China could be extended to allow for further negotiation while at the same declaring himself a "Tariff Man" who views the imposition of duties as a central component of his economic philosophy. [Read full article »](#)

## **TAX**

### **DC Council Gives Final OK To Post-Wayfair Tax Law**

The District of Columbia, following the Supreme Court's landmark South Dakota v. Wayfair ruling, would begin requiring remote retailers to collect and remit sales and use tax on Jan. 1, under legislation given final approval Tuesday by the district council.

Lyft Inc.  
Manchester United  
Microsoft Corporation  
Murray Energy Corp.  
National Basketball Association  
National Collegiate Athletic Association  
National Employment Law Project  
Nuclear Energy Institute  
Planned Parenthood Federation  
Quill Corp.  
Reed Elsevier  
Sierra Club  
Smithfield Foods Inc.  
Spectrum Management Holding Co.  
Tampa Bay Buccaneers  
The American Legion  
The DIRECTV Group, Inc.  
The Florida Bar  
Tribune Media Co.  
Trump Organization Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
Uber Technologies Inc.  
UnitedLex Corp.  
Voya Financial Inc.  
Washington Post Co.  
Wayfair LLC  
Xcel Energy Inc  
Zillow Inc.  
eBay Inc.

## **GOVERNMENT AGENCIES**

Army Corps of Engineers  
Bank of England  
Bureau of Labor Statistics  
Central Intelligence Agency  
Cherokee Nation  
Congressional Budget Office  
Council on Environmental Quality  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Financial Conduct Authority  
Houlton Band of Maliseet Indians  
Internal Revenue Service  
Massachusetts Department of

CLV000344

[Read full article »](#)

### **Calif. Legislator Again Offers Menstrual Product Tax Bill**

The third iteration of a bill that would exempt menstrual health products from California sales and use tax has been introduced by an assemblywoman who has styled herself the "Tampon Queen." [Read full article »](#)

## **IMMIGRATION**

### **Encouraging Unauthorized Immigrants Is Protected: 9th Circ.**

The Ninth Circuit ruled Tuesday that part of a federal statute that prohibits encouraging immigrants to stay in the U.S. without authorization violates the First Amendment's protection of free speech for potentially criminalizing even "the simple words" spoken to immigrants to remain in the country. [Read full article »](#)

### **Immigration Group Backs Trump At DC Circ. In DACA Suit**

A conservative legal organization on Monday urged the D.C. Circuit to reverse a lower court's ruling that allowed an Obama-era program that protects young unauthorized immigrants brought to the U.S. as children, known as Deferred Action For Childhood Arrivals, to continue. [Read full article »](#)

## **NATIVE AMERICAN**

### **Tribes Win Pause Of Indian Child Welfare Case During Appeal**

The Fifth Circuit has agreed to halt a lower court ruling that the Indian Child Welfare Act is unconstitutional during an appeal lodged by four Native American tribes, which argued that a stay was necessary to protect children from potential abuse in the foster care system. [Read full article »](#)

## **TELECOMMUNICATIONS**

### **8th Circ. Stands By Charter's Win In VoIP Regs Battle**

The Minnesota Public Utilities Commission on Tuesday failed to convince the Eighth Circuit to revisit a panel decision freeing Charter Communications Inc.'s Voice over Internet Protocol business from state regulation, despite support for an en banc rethink from the court's chief judge. [Read full article »](#)

### **Microsoft Says Gov't Funds Needed For 'White Space' Tech**

Microsoft president Brad Smith on Monday called on the federal government to redirect some of the funds allocated for expanding broadband access in rural America toward incentives for "white space" devices, wireless technology that repurposes unused space on the spectrum left between television stations. [Read full article »](#)

## **WHITE COLLAR**

### **1st Circ. Focuses On Extortion Benefit In Boston Aides' Case**

The First Circuit on Tuesday peppered attorneys for both the government and a pair of Boston City Hall aides on whether prosecutors need to show that someone accused of extortion personally benefits from the alleged act, during a hearing seeking to revive indictments against the mayor's lieutenants. [Read full article »](#)

## **EXPERT ANALYSIS**

### **APA Lessons From CNN Press Pass Case**

The primary focus of CNN's suit seeking restoration of Jim Acosta's White House press pass was, appropriately, on the First and Fifth Amendment claims. But the third claim

Health and Human Services  
Morongo Band of Mission Indians  
National Economic Council  
National Security Council  
Navajo Nation  
New Jersey Department of Labor and Workforce Development  
New Jersey Legislature  
New York City Council  
Occupational Safety and Health Administration  
Office of National Drug Control Policy  
Office of the U.S. Trade Representative  
Pension Benefit Guaranty Corp.  
Quinault Indian Nation  
Securities and Exchange Commission  
Social Security Administration  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. Patent and Trademark Office  
U.S. Secret Service  
U.S. Supreme Court  
U.S. Tax Court  
United Nations

raises some interesting issues about the extent to which the Administrative Procedure Act can be applied to actions taken by the White House, says Steven Gordon of Holland & Knight LLP. [Read full article »](#)

### **Insights From 2017-2018 High Court Term And What's Ahead**

Many expect the U.S. Supreme Court's new conservative majority to track rightward, while others wonder if any justices might assert a moderating influence as the new "swing vote." The court's recent decisions and upcoming docket provide the best clues about its trajectory, says Chad Eggspuehler of Tucker Ellis LLP. [Read full article »](#)

### **A Welcome DOJ Shift On Cooperation Credit**

Changes announced last week by Deputy Attorney General Rod Rosenstein will likely make it easier for a company to obtain cooperation credit in criminal and civil cases, while also potentially reducing some of the costs and burdens associated with complying with the prior U.S. Department of Justice policy, says John Nowak of Paul Hastings LLP. [Read full article »](#)

### **Increasing Transparency In The US Tax Court**

The U.S. Tax Court has made tremendous strides toward increased transparency in recent decades. Implementation of the docket inquiry system and searchable databases are a terrific start, but there's more to do, says Leandra Lederman of Indiana University Maurer School of Law. [Read full article »](#)

### **Transportation And Infrastructure — The Road Ahead: Part 2**

The chances that major transportation and infrastructure legislation may be passed have increased with the election of a House Democratic majority, and efforts to streamline permitting and regulation by federal agencies may further advance the prospects of significant infrastructure development, say attorneys with Squire Patton Boggs LLP. [Read full article »](#)

## **LEGAL INDUSTRY**

### **Feature**

#### **NewLaw Is Wooing BigLaw's Young Talent**

In search of new experiences and more flexibility, some young lawyers are pointing their career paths toward alternative legal service providers. [Read full article »](#)

#### **Hilton Sued Over Secret Filming Of NY Bar Exam Taker**

A law school graduate who stayed at a New York hotel before taking the bar exam has sued Hilton and its affiliates for \$100 million in Virginia state court, claiming that secretly filmed footage of her showering in her room was posted on pornographic websites and emailed to her friends and colleagues. [Read full article »](#)

#### **Scottie Pippen Claims Atty-Comedian Trashed Fla. Mansion**

NBA Hall of Famer and former Chicago Bulls star Scottie Pippen hit a South Florida attorney-comedian and her husband with a lawsuit in state court Monday, accusing them of trashing his \$10 million mansion, stealing cutlery and allowing their pets to urinate all over the property. [Read full article »](#)

#### **Litigation Funder Validity Poaches Pair From Bentham IMF**

Litigation funder upstart Validity Finance LLC said Tuesday it has poached two ex-litigators from rival Bentham IMF to oversee risk management and underwriting. [Read full article »](#)

### **JOBS**

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#### **Labor & Employment Associate**

Ogletree, Deakins, Nash, Smoak & Stewart  
San Antonio, Texas

#### **Mid- and Senior-Level Litigation Communications Roles**

CLS Strategies  
Washington, District of Columbia

## LAW FIRMS

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Gibson Dunn  
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O'Melveny & Myers  
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Bona Law PC  
Cosgrove Eisenberg  
Covington & Burling  
Cummins & Cummins  
Davis Wright Tremaine  
DiMuroGinsberg PC  
Drummond Woodsum  
Earthjustice  
Faegre Baker  
Foley Hoag  
Gaskins Bennett  
Goldstein & Russell  
Gupta Wessler  
Holland & Knight  
K&L Gates  
Kanji & Katzen  
Kelly Hart  
Kelly Remmel  
Kilpatrick Townsend  
Kirkland & Ellis  
Latham & Watkins  
Littler Mendelson  
McDermott Will  
Paul Hastings  
Quinn Emanuel  
Shipley Snell  
Sidley Austin  
Squire Patton Boggs  
Tucker Ellis  
Williams & Jensen

## COMPANIES

Citizens for Responsibility and Ethics in Washington  
Amazon.com Inc.  
Cable News Network Inc.  
Microsoft Corporation  
Twitter Inc.  
Wayfair LLC  
AT&T Inc.  
Air Transport Association of America  
Altman Weil Inc.

American Cable Association  
American Conference Institute  
American Federation of State, County and Municipal Employees  
American Federation of Teachers  
American Hotel & Lodging Association  
Apple Inc.  
Bass Pro Shops  
Burford Capital LLC  
Cabela's Inc.  
California Teachers Association  
Center for Biological Diversity  
Charter Communications Inc.  
Chicago Bulls  
Chicago Cubs  
ConocoPhillips Co.  
Continental Resources Inc.  
Counsel on Call Services Inc.  
Devon Energy Corp.  
Dominion Energy Inc.  
Ennis Inc.  
Food Network  
General Motors  
Google Inc.  
Harbour Litigation Funding Ltd.  
Hilton Worldwide Inc.  
IMF Bentham Ltd.  
Immigration Reform Law Institute  
Judicial Watch Inc.  
LexisNexis Group  
LinkedIn Corp.  
Lyft Inc.  
Manchester United  
Murray Energy Corp.  
National Basketball Association  
National Collegiate Athletic Association  
National Employment Law Project  
Nuclear Energy Institute  
Planned Parenthood Federation  
Quill Corp.  
Reed Elsevier  
Sierra Club  
Smithfield Foods Inc.  
Spectrum Management Holding Co.  
Tampa Bay Buccaneers  
The American Legion  
The DIRECTV Group, Inc.  
The Florida Bar  
Tribune Media Co.  
Trump Organization Inc.  
Turner Broadcasting System Inc.  
Uber Technologies Inc.  
UnitedLex Corp.

Voya Financial Inc.  
Washington Post Co.  
Xcel Energy Inc  
Zillow Inc.  
eBay Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Executive Office of the President  
Federal Communications Commission  
U.S. Environmental Protection Agency  
Council on Environmental Quality  
Federal Bureau of Investigation  
Securities and Exchange Commission  
U.S. Attorney's Office  
U.S. Department of Labor  
U.S. Department of the Interior  
Army Corps of Engineers  
Bank of England  
Bureau of Labor Statistics  
Central Intelligence Agency  
Cherokee Nation  
Congressional Budget Office  
Federal Aviation Administration  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Financial Conduct Authority  
Houlton Band of Maliseet Indians  
Internal Revenue Service  
Massachusetts Department of Health and Human Services  
Morongo Band of Mission Indians  
National Economic Council  
National Security Council  
Navajo Nation  
New Jersey Department of Labor and Workforce Development  
New Jersey Legislature  
New York City Council  
Occupational Safety and Health Administration  
Office of National Drug Control Policy  
Office of the U.S. Trade Representative  
Pension Benefit Guaranty Corp.  
Quinault Indian Nation  
Social Security Administration  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. General Services Administration  
U.S. Patent and Trademark Office

U.S. Secret Service  
U.S. Tax Court  
United Nations

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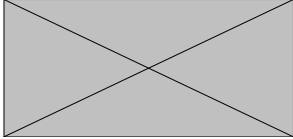
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CLV000350

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 4/3/2019 7:27:54 AM  
**Subject:** Senate Readies 'Nuclear Option' On Nomination Debate Time

## EXTERNAL EMAIL



PUBLIC POLICY.

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**Wednesday, April 3, 2019**

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## TOP NEWS

### Senate Readies 'Nuclear Option' On Nomination Debate Time

The U.S. Senate is on the verge of blowing up yet another part of its rules with a simple majority "nuclear option" vote as early as Wednesday, as Republican efforts to speed judicial confirmations by shortening debate time fell short of a filibuster-proof majority on Tuesday.

[Read full article »](#)

#### Analysis

### Ruling Cements Staying Power Of Offshore Drilling Bans

An Alaska federal court may have emboldened future presidents to rope off more offshore areas from oil and gas drilling by ruling that President Donald Trump can't rescind his predecessor's indefinite ban on drilling in large swaths of the Arctic and Atlantic oceans.

[Read full article »](#)

### 9 Times Trump Clashed With The 9th Circ. Over Immigration

The Trump administration has argued against a case the Ninth Circuit is currently reviewing, which would determine whether children have a right to public, court-appointed counsel in immigration proceedings. Before the court rules on that policy, Law360 takes a look back at instances in which it and the administration went head-to-head over immigration.

[Read full article »](#)

### Congress, Ex-Judges Back Census Challenge At High Court

The U.S. House of Representatives, former U.S. Census Bureau directors, ex-federal judges, immigrant advocacy groups and others have thrown their support behind New York state's U.S. Supreme Court challenge to the addition of a citizenship question on the 2020 census.

[Read full article »](#)

### Sen. Graham Floats Idea Of National Arbitration Standards

Senate Judiciary Committee Chairman Lindsey Graham, R-S.C., floated the idea Tuesday of establishing uniform standards for arbitration clauses and questioned whether class action rules should be reformed during a hearing on complaints that

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[Hilder & Associates](#)

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[Holland & Knight](#)

[Hunton Andrews Kurth](#)

[Latham & Watkins](#)

[Law Offices of Paul D. Scott](#)

[Littler Mendelson](#)

[Mayer Brown](#)

[McDermott Will](#)

CLV000351



arbitrations unfairly sweep issues under the rug.

[Read full article »](#)

## Trump Org. Chief Compliance Counsel To Step Down In June

The man in charge of legal compliance for the Trump Organization, George A. Sorial, will hand the reins to assistant general counsel Jill Martin in June, the outgoing attorney confirmed to Law360 on Tuesday.

[Read full article »](#)

## BANKING & SECURITIES

### Senator Urges SEC To Toughen Shareholder Proposal Rules

A Republican senator on Tuesday urged the Securities and Exchange Commission to raise thresholds for shareholder ballot proposals on the grounds that activist campaigns to change corporate policy on social and environmental issues are deterring companies from going public.

[Read full article »](#)

### Housing Finance Reform A Priority, Lawmakers Tell Bankers

The chairs of the House and Senate banking committees told a Washington gathering of a top U.S. banking industry organization on Tuesday that they're both focused on developing plans to reform the housing finance system, but their respective policy to-do lists largely diverged from there.

[Read full article »](#)

## ENERGY & ENVIRONMENTAL

### House Dems Use EPA Budget Hearing To Slam Rule Rollbacks

House Democrats on Tuesday laughed off President Donald Trump's proposed cuts to the U.S. Environmental Protection Agency's budget and spent their time with EPA Administrator Andrew Wheeler grilling him on issues like climate change and proposed changes to mercury and automobile air emissions regulations.

[Read full article »](#)

## HEALTH & LIFE SCIENCES

### Interview

#### FDA Focus: What Latham's Practice Chair Is Watching

The global co-chair of Latham & Watkins LLP's health and life sciences practice tells Law360 about the legacy left by the U.S. Food and Drug Administration's outgoing commissioner, when it makes sense for companies to sue the FDA, and his nostalgia for the good old days of informal interactions with regulators.

[Read full article »](#)

### Purdue's Sackler Family Wants 'Divisive' Mass. Suit Tossed

Purdue Pharma LP's controlling Sackler family asked a Massachusetts judge Tuesday to dismiss the state attorney general's lawsuit holding it responsible for the opioid crisis, calling the allegations divisive, inflammatory and misleading.

[Read full article »](#)

### Deal Nets Fla. Medical Marijuana Provider Extra Dispensaries

Trulieve Inc., Florida's largest medical marijuana provider, will be able to operate up to

Mitchell Silberberg

Morrison & Foerster

Munger Tolles

Nelson Mullins

Ogletree Deakins

Porter Wright

Radey Law Firm

Schagrin Associates

Seyfarth Shaw

Shook Hardy

Sidley Austin

Squire Patton Boggs

Steptoe & Johnson LLP

Stroock & Stroock

Ward & Herzog

White & Case

Willig Williams

Willkie Farr

## COMPANIES

Organisation for Economic Co-operation and Development

23andMe Inc.

Altman Weil Inc.

American Bankers Association

American Bar Association

American Federation of State, County and Municipal Employees

CTIA

Cable News Network Inc.

Comcast Corp.

Delta Air Lines Inc.

Eagle Pharmaceuticals Inc.

Endo International PLC

Ernst & Young

Ethiopian Airlines Enterprise

Fannie Mae

Federalist Society

Ferrara Candy Co.

Freddie Mac

Georgia State University

Google Inc.

Henkels & McCoy Inc.

Human Rights Campaign

ICx Technologies, Inc.

Immigration Reform Law Institute

International Franchise Association

Judicial Watch Inc.

Juul Labs

Liga Nacional de Futbol Profesional

LinkedIn Corp.

CLV000352

49 dispensaries across the state as part of a settlement announced Monday to drop its lawsuit challenging a statutory cap that limits licensed medical marijuana treatment centers to 35 locations.

[Read full article »](#)

IP & TECHNOLOGY

Trademark Bill Would Let States, Towns Register Flags

A bipartisan group of U.S. senators introduced legislation Tuesday that would amend the Lanham Act to allow government entities to register flags, seals and other insignia as trademarks.

[Read full article »](#)

TRANSPORTATION & INFRASTRUCTURE

Senate Panel To Probe FAA Inspectors After Boeing Crashes

Senate lawmakers on Tuesday said they will investigate whistleblower reports that Federal Aviation Administration safety inspectors weren't sufficiently trained to evaluate and approve the Boeing 737 MAX 8 aircraft involved in a pair of recent fatal crashes.

[Read full article »](#)

EMPLOYMENT

Analysis

5 Things To Watch As DOL Wades Into Joint-Employer Debate

The U.S. Department of Labor's proposal to streamline its test for determining whether multiple businesses are jointly liable for wage violations puts the agency in the middle of a contentious debate over whether a tighter standard would let franchisors off the hook too easily. Here, Law360 looks at five things to keep an eye on as the comment period for the new rule gets underway.

[Read full article »](#)

DOL Releases Opinions On OT Exemptions, '8-And-80' Pay

The U.S. Department of Labor issued opinion letters Tuesday weighing in on Fair Labor Standards Act overtime exemptions for agricultural workers and teachers, and on health industry employers' use of an overtime structure that calculates workers' pay across two weeks.

[Read full article »](#)

Pa. Panel Rejects Bid To Ax AFSCME As Workers' Sole Union

A Pennsylvania appeals court on Tuesday upheld decisions finding that two efforts to remove the American Federation of State, County and Municipal Employees as the exclusive bargaining unit representing certain state workers lacked enough support to get off the ground.

[Read full article »](#)

COMPETITION

Feature

3 Merger Review Tips From The FTC's Competition Chief

The director of the Federal Trade Commission's competition bureau, Bruce Hoffman, offered some advice to lawyers shepherding their clients' tie-ups through the agency's

- McDonald's Corp.
- McKesson Corp.
- Murray Energy Corp.
- NAACP Legal Defense and Educational Fund Inc.
- NBC Sports Group
- NBCUniversal Inc.
- Nardello & Co.
- National Congress of American Indians
- National Employment Law Project
- New York Times Co.
- New York University
- Nike Inc.
- Public Knowledge
- Purdue Pharma LP
- Securus Technologies Inc.
- Spectrum Management Holding Co.
- The Boeing Company
- The Coca-Cola Co.
- Trump Organization Inc.
- Washington Post Co.
- Wells Fargo & Co.
- Zekelman Industries Inc.
- belN Media Group LLC

GOVERNMENT AGENCIES

- Bureau of Citizenship and Immigration Services
- California Attorney General's Office
- California Supreme Court
- Congressional Budget Office
- Department of Commerce
- European Commission
- European Union
- Federal Aviation Administration
- Federal Bureau of Investigation
- Federal Communications Commission
- Federal Election Commission
- Federal Trade Commission
- Florida Department of Health
- Food and Drug Administration
- Indian Health Service
- Internal Revenue Service
- National Highway Traffic Safety Administration
- National Labor Relations Board
- National Telecommunications and Information Administration
- New York Attorney General's Office

merger reviews during the American Bar Association's annual spring antitrust meeting. Here's what Hoffman had to say about timing agreements, document requests and the younger generation.

[Read full article »](#)

## GOVERNMENT CONTRACTS

### Labor Dept. Looks To Speed Up Contractor Debarment

The U.S. Department of Labor kicked off a new pilot program Tuesday that aims to speed up the discretionary suspension and debarment process to protect the federal government from working with contractors involved in inappropriate or illegal activities.

[Read full article »](#)

### DOJ, Landis Near Finish Line In Epic Lance Armstrong Suit

The U.S. Department of Justice and a former cyclist who accused Lance Armstrong of doping are poised to end nine years of litigation over allegations Armstrong and his cycling team lied to the government about using performance-enhancing drugs to keep a sponsorship from the U.S. Postal Service.

[Read full article »](#)

## AEROSPACE & DEFENSE

### House Dems Propose \$60B Increase In Defense Spending

House Democrats called for a more than \$60 billion increase in defense spending next fiscal year as part of a budget released Tuesday featuring \$1.3 trillion in overall federal spending.

[Read full article »](#)

## INTERNATIONAL TRADE

### US-Led Tariff Wave Driving Down Global Trade Growth

The World Trade Organization on Tuesday projected a sharp downturn for global trade growth in 2019, citing a deluge of tariffs from the Trump administration and the retaliatory duties they have prompted from other major economies.

[Read full article »](#)

### Commerce Must Again Redo Turkish Steel Pipe Duty, CIT Says

The U.S. Department of Commerce must redo a tariff on steel pipes and tubes from Turkey, the U.S. Court of International Trade ordered Monday, finding that the agency had for the second time miscalculated certain price adjustments for a Turkish exporter.

[Read full article »](#)

## TAX

### 2nd Circ. Reverses Tax Court Ruling In Late Filer's Favor

The Second Circuit unanimously overturned a U.S. Tax Court decision that had denied a retired Connecticut woman her tax refund, saying Tuesday that the ruling had resulted in differential treatment of taxpayers that Congress had intended to avoid.

[Read full article »](#)

[Office of the U.S. Trade Representative](#)  
[Pennsylvania Supreme Court](#)  
[Securities and Exchange Commission](#)  
[U.S. Army](#)  
[U.S. Attorney's Office](#)  
[U.S. Census Bureau](#)  
[U.S. Customs and Border Protection](#)  
[U.S. Department of Defense](#)  
[U.S. Department of Energy](#)  
[U.S. Department of Health and Human Services](#)  
[U.S. Department of Homeland Security](#)  
[U.S. Department of Justice](#)  
[U.S. Department of Labor](#)  
[U.S. Department of State](#)  
[U.S. Department of Transportation](#)  
[U.S. Department of the Treasury](#)  
[U.S. House Committee on Energy and Commerce](#)  
[U.S. House of Representatives](#)  
[U.S. Immigration and Customs Enforcement](#)  
[U.S. Postal Service](#)  
[U.S. Senate](#)  
[U.S. Supreme Court](#)  
[U.S. Tax Court](#)  
[United Nations](#)  
[United States Court of Appeals for the Third Circuit](#)  
[Wage and Hour Division](#)  
[World Trade Organization](#)

### **Part Of UK Tax Rules Illegally Aided Multinationals, EU Says**

The European Union's competition regulator said Tuesday that part of a U.K. scheme that exempted certain multinational companies from anti-tax-avoidance rules amounted to illegal state aid, and it ordered the British government to recover the money.

[Read full article »](#)

### **House Tax Panel Approves IRS Reform, Retirement Bills**

The House Ways and Means Committee on Tuesday unanimously approved legislation to overhaul the Internal Revenue Service and to revise rules for retirement savings accounts during its first markup under a Democratic majority.

[Read full article »](#)

## **IMMIGRATION**

### **US Refugee Admissions On Pace To Hit 40-Year Low**

A U.S. coalition focused on refugees said Tuesday the country has admitted less than half of a 30,000-refugee admission goal for fiscal year 2019 and is on pace to admit the lowest number of refugees in the United States Refugee Admissions Program's nearly 40-year history.

[Read full article »](#)

### **DHS Tells DC Circ. H-1B Spouse Law Row May Soon Be Moot**

The Department of Homeland Security asked the D.C. Circuit on Monday to toss a challenge to an Obama-era rule allowing the spouses of highly skilled visa holders to work in the U.S., saying the agency is in the process of rescinding the rule.

[Read full article »](#)

### **USCIS Seeks To Shake Immigrants' Juvenile Policy Suit**

U.S. Citizenship and Immigration Services urged a Washington federal court on Monday to reject a request to block steps it has taken to make it more difficult for young immigrants between ages 18 and 21 to qualify for special immigrant protections, arguing that it is merely implementing existing law rather than introducing a new policy.

[Read full article »](#)

## **NATIVE AMERICAN**

### **Tribes Urge 5th Circ. To Preserve Indian Health Law In ACA**

The great majority of federally recognized tribes in the United States have urged the Fifth Circuit to preserve portions of the Affordable Care Act specific to Native Americans, saying those provisions have nothing to do with the individual mandate a lower court found unconstitutional.

[Read full article »](#)

## **TELECOMMUNICATIONS**

### **FCC Tosses 'Refusal To Deal' Claim Against Comcast**

The Federal Communications Commission has thrown out a claim that Comcast refused to deal with the sports network that carries Spain's professional soccer league games in their ongoing dispute over channel lineups, saying the allegation should have been brought up sooner.

[Read full article »](#)

## **Nexstar Fights Internet Co. Over How To Talk To FCC**

Nexstar Media Group Inc. is resisting a broadband company's push to meet with the Federal Communications Commission about the companies' dispute over carriage of the broadcaster's stations without Nexstar in the room, saying the move aims to stoke "political warfare" as the FCC also considers Nexstar's planned megamerger with Tribune Co.

[Read full article »](#)

## **Trade Group Calls For Scheduling Spectrum Auctions**

Mobile communications trade group CTIA unveiled its vision for the Trump administration's spectrum strategy on Tuesday, including calling for an established schedule that would complete planned auctions of spectrum by 2024.

[Read full article »](#)

## **Prison Phone Cos. Call Off Merger After FCC Discouragement**

Prison phone operators Securus Technologies Inc. and Inmate Calling Solutions LLC have withdrawn their merger application after the Federal Communications Commission decided the combination wouldn't serve the public good, the agency announced Tuesday.

[Read full article »](#)

## **FCC Taking Too Long On Mobile Location Tracking: Starks**

The FCC is taking too long to get to the bottom of mobile location sales and must move swiftly against improper data use before its enforcement authority expires, the agency's newest Democratic commissioner said Tuesday.

[Read full article »](#)

## **WHITE COLLAR**

## **Convicted Pa. Political Consultant's Law License Suspended**

A Pennsylvania attorney disciplinary board has suspended the law license of a political consultant after a federal jury in December convicted him of funneling money from the campaign of former Rep. Bob Brady, D-Pa., to a rival in exchange for the other candidate's withdrawal from a 2012 congressional primary.

[Read full article »](#)

## **Ex-Congressional Staffer Gets Prison For Charity Fraud**

A former aide to an ex-congressman from Texas was sentenced Tuesday to 18 months in prison for his role in a scheme in which the legislator used money solicited as charitable donations to instead fund campaigns and pay personal expenses.

[Read full article »](#)

## **PEOPLE**

## **Ex-Mass. AG Leaves Foley Hoag For E-Cigarette Maker Juul**

Former Massachusetts Attorney General Martha Coakley will join the government affairs team at e-cigarette maker Juul this month, the company announced Tuesday, saying she would work on education efforts to combat youth usage of the controversial product.

[Read full article »](#)

## **EXPERT ANALYSIS**

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## What To Do While Waiting For Cadillac Tax To Hit The Road

Despite growing bipartisan momentum to repeal the Affordable Care Act's "Cadillac tax" provision, employers must consider the impact it would have on their current benefits structure and maintain flexibility to change benefit offerings or pass along costs once it is implemented, says Stephanie Vasconcellos of Mayer Brown.

[Read full article »](#)

## New Calif. Packaging Law Cuts Companies Some Slack

New safe harbor provisions in California's slack-fill law offer welcome relief to food and consumer product companies, and may make multimillion-dollar slack-fill settlements — and the litigation they incentivize — less common, say William Tarantino and Megan Ault of Morrison & Foerster.

[Read full article »](#)

## 9th Circ. Ruling Could Break US Asylum System

In *Thuraissigiam v. U.S. Department of Homeland Security*, the Ninth Circuit held that the Immigration and Nationality Act illegally deprives asylum seekers of a chance to challenge adverse "credible fear" determinations, potentially adding yet another strain to an overly burdened system, says Seth Stodder of Holland & Knight.

[Read full article »](#)

### Opinion

## Governments Could Effectively Tax Tech Profits

If governments are prepared to take radical action to address the tax avoidance practices of many large technology companies, a perfectly legitimate solution could lie in legislation disallowing the use of double tax agreements for tech royalty schemes, says George Turner of Tax Watch UK.

[Read full article »](#)

### Opinion

## Kisor Case May Positively Disrupt Technological Governance

If the U.S. Supreme Court decision in *Kisor v. Wilkie* lowers standards for judicial deference, it will help clear the path for positive disruptions that certain technologies can bring to our lives, says Jennifer Huddleston of the Mercatus Center at George Mason University.

[Read full article »](#)

## LEGAL INDUSTRY

---

## Small Firm Consolidations Continue At Rapid Clip

Law firm consolidation continued apace in the first quarter of 2019, driven largely by deals in which large firms gobbled up firms with fewer than 10 attorneys, according to a report released Tuesday.

[Read full article »](#)

## Trump Taps Investigations Firm GC For Georgia Bench

President Donald Trump nominated an investigations firm's general counsel on Tuesday to serve as a Georgia federal judge and tapped a federal bankruptcy judge to serve on the federal bench in West Virginia.

[Read full article »](#)

## How The ABA Judicial Ratings Lost Their Luster

Some six years before he became chairman of the Senate Judiciary Committee, Sen. Lindsey Graham said the American Bar Association's ratings of judicial nominees were the "gold standard." But like everything else relating to the judiciary, the ABA's work has been politicized.

[Read full article »](#)

### **Avenatti's Ex-Clients Say He Exposed Them To Legal Woes**

Two former clients of lawyer Michael Avenatti accused him Tuesday of secretly funneling fees from a \$39 million settlement and drawing the pair into "seven years of unnecessary litigation" with another attorney over those fees.

[Read full article »](#)

### **3 Months Into The Job, Texas Judge Accidentally Resigns**

A Harris County, Texas, civil court judge is scrambling to stay on the bench after accidentally resigning three months into the job.

[Read full article »](#)

### **Gibson Dunn Health Chair Tapped As Catholic U. Law Dean**

The chair of Gibson Dunn's Food and Drug Administration and health care practice group is set to become the new dean of Catholic University's Columbus School of Law, the university announced Tuesday.

[Read full article »](#)

### **Uber Health Picks Up McKesson Atty As Legal Director**

Uber Health, the transportation network's year-old platform that allows hospitals and other health care providers to request rides for patients, has hired a McKesson Corp. assistant general counsel as its legal director, the venture confirmed to Law360 on Tuesday.

[Read full article »](#)

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Chicago, Illinois

#### **Telecommunications Associate - Mid Level - Portland**

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Portland , Oregon

#### **Pro Bono Fellowship: Any McCarter & English Office**

McCarter & English, LLP  
Newark, New Jersey

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Eagan Avenatti  
Eversheds Sutherland  
Fisher Phillips  
Foley Hoag  
Fried Frank  
Gibson Dunn  
Hilder & Associates  
Hobbs Straus  
Holland & Knight  
Hunton Andrews Kurth  
Law Offices of Paul D. Scott  
Mayer Brown  
McDermott Will  
Mitchell Silberberg  
Morrison & Foerster  
Munger Tolles  
Nelson Mullins  
Ogletree Deakins  
Porter Wright  
Radey Law Firm  
Schagrin Associates  
Seyfarth Shaw  
Shook Hardy  
Sidley Austin  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Stroock & Stroock  
Ward & Herzog  
White & Case  
Willig Williams  
Willkie Farr

#### COMPANIES

American Bar Association  
Google Inc.  
Immigration Reform Law Institute  
Securus Technologies Inc.  
Washington Post Co.  
Organisation for Economic Co-operation and Development  
23andMe Inc.  
Altman Weil Inc.  
American Bankers Association  
American Federation of State, County and Municipal Employees  
CTIA  
Cable News Network Inc.  
Comcast Corp.



Delta Air Lines Inc.  
Eagle Pharmaceuticals Inc.  
Endo International PLC  
Ernst & Young  
Ethiopian Airlines Enterprise  
Fannie Mae  
Federalist Society  
Ferrara Candy Co.  
Freddie Mac  
Georgia State University  
Henkels & McCoy Inc.  
Human Rights Campaign  
ICx Technologies, Inc.  
International Franchise Association  
Judicial Watch Inc.  
Juul Labs  
Liga Nacional de Futbol Profesional  
LinkedIn Corp.  
McDonald's Corp.  
McKesson Corp.  
Murray Energy Corp.  
NAACP Legal Defense and Educational Fund Inc.  
NBC Sports Group  
NBCUniversal Inc.  
Nardello & Co.  
National Congress of American Indians  
National Employment Law Project  
New York Times Co.  
New York University  
Nike Inc.  
Public Knowledge  
Purdue Pharma LP  
Spectrum Management Holding Co.  
The Boeing Company  
The Coca-Cola Co.  
Trump Organization Inc.  
Wells Fargo & Co.  
Zekelman Industries Inc.  
beIN Media Group LLC

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Federal Communications Commission  
U.S. Department of Homeland Security  
Bureau of Citizenship and Immigration Services  
Food and Drug Administration  
U.S. Senate  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
U.S. House of Representatives

Department of Commerce  
European Union  
Federal Trade Commission  
Internal Revenue Service  
U.S. Attorney's Office  
U.S. Department of Transportation  
Wage and Hour Division  
California Attorney General's Office  
California Supreme Court  
Congressional Budget Office  
European Commission  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Election Commission  
Florida Department of Health  
Indian Health Service  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Telecommunications and Information Administration  
New York Attorney General's Office  
Office of the U.S. Trade Representative  
Pennsylvania Supreme Court  
Securities and Exchange Commission  
U.S. Army  
U.S. Census Bureau  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of State  
U.S. Department of the Treasury  
U.S. House Committee on Energy and Commerce  
U.S. Immigration and Customs Enforcement  
U.S. Postal Service  
U.S. Tax Court  
United Nations  
United States Court of Appeals for the Third Circuit  
World Trade Organization

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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**Cc:** Jason Roeller[jroeller@LasVegasNevada.GOV]  
**From:** Jason Roeller  
**Sent:** Wed 2/25/2015 7:53:21 PM  
**Subject:** Fire Alarm Office Staffing is at Critical levels

Mrs Mayor Goodman:

I work in the Fire Alarm Office and have for 15 years. Our office staff is painfully struggling thru a massive staff shortage. We are severely understaffed and have been for years now. Our employees are working massive amounts of overtime to keep our staffing requirements to safe levels. Our employees are working extra shifts, up to 16 hour days with only an 8 hour break in between and we are falling apart at the seams. Our E-staff is telling us that the hold up to hire new employees is due to lack of personnel at Human Resources being able to fast track our hiring procedure and we are being placed on a waiting list in the city before any new hiring process can even be started. People with 10 plus years on the job are quitting because their family life is struggling due to the demands being placed on our employees. These are great employees, hard working , and dedicated employees who help save lives everyday. Without staffing there wont be enough personnel to answer 9-11 calls from the public and hold times will increase.

Our call volume has doubled since 2000 and yet our manpower has barely changed during that time. We are fighting for this city and county to be safe however we need personnel immediately. I have never written city hall about our problems ever but our cries for help are not being answered. I have talked to our chiefs numerous times and our hiring is at a snails pace. We have only 5 people in a training class where we need 15. We need 15 people now.

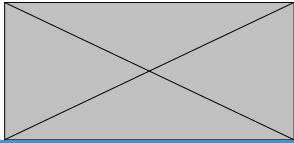
I am begging that HR please fast track our hiring process. It is critical so we are not having 9-11 calls be left on hold or go unanswered. Please help us. We are doing everything we can to serve our public. However without adequate manpower more employees will leave us. We can not afford to lose any more employees. I do not wish to be a whistleblower here and hope that my name be confidential for fear of retaliation. I love my job , we just need help.

Sincerely,

Jason Roeller  
Las Vegas Fire & Rescue  
Fire Communication Specialist for 15 years

CLV000363

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 4/23/2018 8:50:01 AM  
**Subject:** Possible Trouble On Horizon For ALJs In High Court Case



**PUBLIC POLICY.**

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**Monday, April 23, 2018**

## TOP NEWS

### Analysis

#### Possible Trouble On Horizon For ALJs In High Court Case

A ruling by the U.S. Supreme Court that the U.S. Securities and Exchange Commission's administrative law judges were hired in violation of the Constitution would likely open up some past ALJ decisions to challenges, legal experts agree, but the fallout should be limited to cases still pending judicial review, whereas defendants whose cases are already final could be out of luck. [Read more »](#)

### Feature

#### Litigation Funding Isn't Just For The Little Guy Anymore

As their industry gains acceptance and a greater foothold in the legal marketplace, commercial litigation financing firms are finding themselves not only helping Davids level the playing field, but also Goliaths with respect to better managing risk and deploying their resources more strategically. [Read more »](#)

### Feature

#### Mapping The Travel Ban's Journey To The High Court

Next week, the U.S. Supreme Court will hear oral arguments over the extent of the president's power to control immigration policy and whether President Donald Trump has shown anti-Muslim animus in a case challenging the most recent version of his travel ban. With all eyes turning to the justices, here is a play-by-play of how we got here. [Read more »](#)

#### Dems Look To Shield Offshore Rules From Trump Rollback

Eight years after the Deepwater Horizon disaster that killed 11 and sent plumes of oil spraying into the Gulf of Mexico for months, a group of Democratic senators Thursday proposed codifying two Obama-era rules aimed at tightening regulations for offshore drilling after the Trump administration moved to reconsider them. [Read more »](#)

### Analysis

#### Undoing CFPB Guidance May Yield Unintended Effects

The U.S. Senate's recent passage of a measure to scrap Consumer Financial Protection Bureau guidance on auto lending has been framed by supporters as a business-friendly move to rein in a rogue agency, but some experts say this use of the Congressional Review Act could lead to greater uncertainty and more regulation by enforcement. [Read more »](#)

### Feature

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Cooper & Kirk  
Cravath Swaine  
Crowe & Dunlevy  
Day Pitney  
Dentons  
Dickinson Wright  
Elliott Greenleaf  
Eversheds Sutherland  
Florio Perrucci  
Fried Frank  
Gibson Dunn  
Goodwin  
Haynes and Boone  
Hogan Lovells  
Hunton Andrews Kurth  
Jones Day  
K&L Gates

CLV000364

### 3 Years Later: Is Tribal Recognition Still 'Broken'?

Nearly three years have passed since the U.S. Department of the Interior revised its regulations for tribes seeking federal acknowledgment in order to fix a process the DOI's own officials called "broken," and although those revisions have made the agency more transparent and responsive, many tribes with strong claims to recognition may still be left out in the cold, experts say. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Monsanto Appeal Can't Keep Herbicide Off Calif. Cancer List

A California appeals court on Thursday refused to revive Monsanto Co.'s lawsuit challenging a state agency's inclusion of the herbicide glyphosate on a list of carcinogens, which could require the company to put warning labels on its popular Roundup weed killing products because glyphosate is an active ingredient. [Read more »](#)

### Fed. Circ. Says Taking Claim Fails In Katrina Flooding Fight

The federal government can't be held liable for damage caused by Hurricane Katrina-related flooding under the Fifth Amendment based on lackluster maintenance of a navigation channel, the Federal Circuit ruled Friday, reversing a U.S. Court of Federal Claims decision. [Read more »](#)

### NJ Gov. Signs Law Banning Offshore Drilling

Newly minted New Jersey Gov. Phil Murphy signed into law a bipartisan bill on Friday that bans offshore oil and gas drilling in the state's waters and beyond, a move that comes as a rebuke to the Trump administration's efforts to undo Obama-era restrictions on the activity in the Atlantic and Pacific oceans. [Read more »](#)

### Exxon Takes AG Climate Probe Fight To 2nd Circ.

Oil giant ExxonMobil said Friday it will appeal to the Second Circuit a New York federal judge's dismissal of its suit claiming the attorneys general of New York and Massachusetts conspired to violate its free speech rights on climate change issues by investigating the company. [Read more »](#)

### Senate Dems Press For Info On Koch Ties To Trump Policies

Senate Democrats have demanded information from President Donald Trump and several federal agencies including the EPA and the U.S. Department of Labor concerning the alleged "sweeping infiltration" of the current administration by the Koch brothers and their affiliates, Sen. Sheldon Whitehouse, D-R.I., announced Friday. [Read more »](#)

### NY Beefs Up Energy Efficiency Targets To Drive GHG Cuts

New York Gov. Andrew Cuomo on Friday unveiled a new energy efficiency target that aims to significantly slash buildings' energy use by 2025, saying the reductions will help the Empire State reach the goal of cutting its greenhouse gas emissions by 40 percent from 1990 levels by 2030. [Read more »](#)

## HEALTH & LIFE SCIENCES

### FDA Offers Guidance On Making Opioid Addiction Treatments

The U.S. Food and Drug Administration released draft guidance Friday outlining ways drug companies can develop new medications to treat opioid addiction, focusing on how companies can create modified-release drugs that are either implanted or injected. [Read more »](#)

### 7th Circ. Says Indiana Abortion Law Is Unconstitutional

The Seventh Circuit found most of an Indiana law banning abortions based on a fetus' race, sex or disability unconstitutional Thursday, handing a win to Planned Parenthood as it affirmed a district court's ruling striking down the bulk of the law. [Read more »](#)

Katten Muchin  
Kirkland & Ellis  
Klee Tuchin  
Latham & Watkins  
LeClairRyan  
Lewis Rice  
Mayer Brown  
McDermott Will  
McGuireWoods  
Morgan Lewis  
Mumphrey Law Firm LLC  
Native American Rights Fund  
Nixon Peabody  
Paul Hastings  
Paul Weiss  
Perkins Coie  
Quinn Emanuel  
Robbins Russell  
Ropes & Gray  
Rosette LLP  
Sam P. Israel PC  
Saul Ewing  
Skadden  
Slack Davis  
Squire Patton Boggs  
Sterne Kessler  
Stroock & Stroock  
Willkie Farr  
WilmerHale  
Zelle LLP

## COMPANIES

AT&T Inc.  
Accenture plc  
Aetna Inc.  
American Bar Association  
American Cable Association  
American Civil Liberties Union  
American Intellectual Property Law Association  
American Petroleum Institute Inc.  
Burford Capital LLC  
Career Education Corporation  
Center for American Progress  
Comcast Corporation  
Costco Wholesale Corporation  
Deloitte Touche  
Democratic National Committee  
Electronic Privacy Information Center  
Eli Lilly and Company  
Equifax Inc.

## Pa. Court Won't Derail State's Medical Marijuana Program

A Pennsylvania court agreed on Friday that a company that lost out on a potentially lucrative cannabis dispensary permit needed to exhaust administrative remedies before it could file suit challenging the constitutionality of the application process for the state's new medical marijuana program. [Read more »](#)

## Experts Look To Congress To Stem Patent-Eligibility 'Chaos'

The U.S. Supreme Court's patent-eligibility decisions like Alice have caused "total chaos" that diminishes patent protection for software and medical diagnostics, and it may be time for Congress to step in, the former director of the USPTO and other patent leaders said at a conference Friday. [Read more »](#)

## Tax Critic Laments Federal Code's Effect On Marijuana Market

A tax critic told a marijuana conference Friday that current tax laws are unfairly hampering the legal marijuana industry by making cannabis dispensaries subject to a provision that disallows tax deductions for entities involved in the trafficking of illegal products. [Read more »](#)

## COMPETITION

### The Big Picture: DOJ's Bid To Halt AT&T's Time Warner Deal

Antitrust legal eyes are glued to the first U.S. Department of Justice court challenge to a purely vertical merger since the 1970s, a deal AT&T and Time Warner say they need just to stay competitive but which the government says will drive up consumers' TV bills by hundreds of millions of dollars. Here, Law360 looks at how we got here, the key issues to watch and the highlights of the trial so far. [Read more »](#)

## CONSUMER PROTECTION

### Ed Dept. Hiding Ties To For-Profit Colleges, Nonprofit Claims

The National Consumer Law Center sued the U.S. Department of Education in Massachusetts federal court Thursday, claiming the agency has illegally denied it access to public documents that reveal the for-profit college industry has driven the government to stall new regulations that help student loan borrowers. [Read more »](#)

## CYBERSECURITY & PRIVACY

### Senator Wants Fines, Tighter Leash On Facebook By FTC

A Democratic senator is pushing the Federal Trade Commission to fine and tighten its oversight of Facebook in the wake of revelations that Cambridge Analytica harvested 87 million unwitting Facebook users' data, while a privacy group is separately pressuring the commission to release the full versions of independent audits of Facebook's privacy practices. [Read more »](#)

### Many Cos. Likely Won't Be Ready For GDPR, Survey Finds

The European Union's sweeping new data regime is set to take effect next month, but many companies aren't on track to be in compliance by the deadline, according to a McDermott Will & Emery LLP-sponsored study released Friday, with almost half of the businesses surveyed saying they don't expect to be ready. [Read more »](#)

### DNC Sues Trump Campaign, Russia Over 2016 Election Hacks

The Democratic National Committee filed suit Friday in New York federal court accusing the Russian government, the Trump campaign and WikiLeaks of conspiring to hack the Democratic Party and doom Hillary Clinton's chances at the 2016 presidential election. [Read more »](#)

## GOVERNMENT CONTRACTS

Exxon Mobil Corporation  
Facebook  
FactSet Research Systems Inc.  
Fortress Investment Group LLC  
Garden City Group Inc.  
Google Inc.  
Grant Thornton LLP  
HP Inc.  
Huawei Technologies  
IMF Bentham Ltd.  
IP Owners Association  
Instagram Inc.  
International Business Machines Corporation  
Johnson & Johnson  
Jones Lang LaSalle Inc.  
Kaspersky Lab Ltd.  
Koch Industries Inc.  
Kroll Bond Rating Agency Inc.  
Lucas Group  
Major Lindsey & Africa  
Microsoft Corporation  
Miller Buckfire & Co. LLC  
Monsanto Company  
Moody's Corporation  
NBCUniversal Inc.  
National Congress of American Indians  
National Consumer Law Center  
Natural Resources Defense Council  
Planned Parenthood Federation  
PricewaterhouseCoopers  
Public Company Accounting Oversight Board  
SAP AG  
Sierra Club  
Sinclair Broadcast Group, Inc.  
Southwest Airlines Co.  
SuccessFactors, Inc.  
The Boeing Company  
The Coca-Cola Company  
The DIRECTV Group, Inc.  
Time Warner Inc.  
Tribune Media Co.  
Turner Broadcasting System Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Verizon Communications  
Wayfair LLC  
ZTE Corp.

## GOVERNMENT AGENCIES

CLV000366



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## Whistleblower Claim Window Would Quadruple In Pa. Bill

A Pennsylvania lawmaker introduced a bill Thursday that would quadruple the window for claims brought under the state's whistleblower law and allow for punitive damage awards to workers. [Read more »](#)

## AEROSPACE & DEFENSE

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## Navy Sec. Seeks Way To Keep Adversaries Out Of DOD Deals

Navy Secretary Richard Spencer at a Senate panel hearing Thursday called on the U.S. Department of Defense to develop an algorithm to detect and prevent instances of adversaries accessing sensitive information through contracts, pointing to a close call involving Chinese telecommunication equipment company Huawei Technologies. [Read more »](#)

### Analysis

## Rare Southwest Engine Failure Prompts Liability Questions

The death of a Southwest Airlines passenger following a midair engine explosion marked the first U.S. commercial airline fatality in nine years, sparking liability questions for the carrier and aircraft and parts manufacturers along with heightened scrutiny of aircraft inspection and maintenance protocols, legal experts say. [Read more »](#)

## TAX

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### Analysis

## New VAT Rates May Help China Retain Multinational Firms

A seemingly small change to China's value-added tax rates set to go into effect next month may not be enough to give China an edge over the U.S. in drawing new businesses, but it could encourage existing multinational businesses to stay put. [Read more »](#)

### Analysis

## Politics Of Online Taxation Put Wayfair Case In High Court

The issue of how states may tax remote sellers — a policy concern — arrived at the U.S. Supreme Court because the politics of getting legislation through Congress have proved nearly impossible, experts say. [Read more »](#)

## TCJA Will Be Boon To Foreign Investors, CBO Estimates

Foreign investors stand to reap 43 percent of the economic benefits from the federal tax overhaul's effects on federal tax law during the next 11 years, according to a recent report from the Congressional Budget Office. [Read more »](#)

## BANKRUPTCY

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### Feature

## Puerto Rico Sales Tax Bond Fight Sparks Muni Market Anxiety

Municipal bond investors are paying close attention to what happens in a pending court fight over the validity of bondholder liens on Puerto Rican sales tax, experts say, warning of widespread consequences should investments thought to be bankruptcy-proof turn out otherwise. [Read more »](#)

## IMMIGRATION

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## No Asylum For Cameroon Gay Rights Backer, 11th Circ. Says

The Eleventh Circuit refused to hear arguments Thursday by a Cameroonian man after the Board of Immigration Appeals turned down his bid for asylum, finding that

Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
California Attorney General's Office  
California Environmental Protection Agency  
Congressional Budget Office  
Consumer Financial Protection Bureau  
Eastern Shoshone Tribe  
European Union  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Housing Administration  
Federal Judicial Center  
Federal Trade Commission  
Food and Drug Administration  
Government Accountability Office  
Indiana Department of Health  
Internal Revenue Service  
National Institutes of Health  
National Labor Relations Board  
National Transportation Safety Board  
New Jersey Department of Environmental Protection  
New York Attorney General's Office  
New York State Department of Public Service  
Northern Arapaho Tribe  
Omaha Tribe of Nebraska  
Pennsylvania Department of Health  
Pennsylvania Supreme Court  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
Shinnecock Indian Nation  
Solicitors Regulation Authority  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Education  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security



he did not suffer persecution by the African nation's police for his views on gay rights. [Read more »](#)

## NATIVE AMERICAN

### Wyo. City, County Urge Justices To Snub Tribes' Land Suits

A Wyoming county and city urged the U.S. Supreme Court on Friday to reject bids by two Native American tribes to overturn a Tenth Circuit decision that shrank their shared Wyoming reservation, saying the ruling didn't create a circuit split and that the language of a 1905 law at issue in the case is like that in other laws that diminished the size of reservations. [Read more »](#)

## TELECOMMUNICATIONS

### Despite Fog, FCC's Net Neutrality Deregulation Still Pending

Despite widespread confusion on when the FCC's net neutrality deregulation will take effect, the Obama-era web management rules will remain in place until a White House office approves certain transparency requirements included in the deregulation package, agency officials have confirmed to Law360. [Read more »](#)

### DC Circ. Skeptical Of FCC's Rationale To Restore UHF Break

A D.C. Circuit panel grilled the Federal Communications Commission Friday over its revival of an obsolete technical distinction that lets broadcasters reach a higher percentage of U.S. households, as the FCC claimed "procedural discretion" for a holistic approach to address what it considers a too-restrictive cap on broadcaster reach. [Read more »](#)

### Philly's Satellite Dish Rules Are Too Broad, FCC Rules

The Federal Communications Commission found little love for Philadelphia's ordinance restricting the placement of satellite dishes, ruling that the city's law ran afoul of federal rules for placement of the devices. [Read more »](#)

## WHITE COLLAR

### Fired FBI Deputy McCabe Getting Legal Defense Fund

Andrew McCabe's lawyer announced Friday the creation of a legal defense fund for the fired FBI deputy director and frequent target of President Donald Trump who is now considering civil litigation against the administration even as federal prosecutors mull a referral for criminal charges. [Read more »](#)

#### Analysis

### GWB Scandal Figures Challenge Statute's Reach In 3rd Circ.

Two former associates of ex-New Jersey Gov. Chris Christie will call on the Third Circuit during oral arguments Tuesday to rein in prosecutors' novel application of an anti-theft and anti-bribery statute to criminalize their alleged scheme to reduce local access lanes to the George Washington Bridge as an act of political revenge. [Read more »](#)

## EXPERT ANALYSIS

### If Lucia Wins On SEC Judges, What Comes Next?

The U.S. Supreme Court is set to consider in *Raymond J. Lucia v. SEC* whether the U.S. Securities and Exchange Commission's previous hiring of administrative law judges violated the Constitution. Let's look at two issues on the horizon if the answer is yes, says Daniel Walfish of Walfish & Fissell LLP. [Read more »](#)

### 3 Things To Know About USPTO's New Memo On Eligibility

In light of the Federal Circuit's decision in *Berkheimer v. HP*, the U.S. Patent and

U.S. Department of Housing and Urban Development  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court  
United Nations  
World Health Organization  
Wyoming Attorney General's Office

Trademark Office has issued a new memorandum regarding subject matter eligibility. Patent practitioners now have a new tool to combat patent-ineligibility challenges, say Michelle Holoubek and Lestin Kenton of Sterne Kessler Goldstein & Fox PLLC. [Read more »](#)

### **New Remedial Actions For Tax-Advantaged Bonds And P3s**

Under an IRS revenue procedure issued on April 11, 2018, issuers of tax-advantaged bonds have new remedial actions available to them to cure unqualified uses that previously would result in loss of tax-advantaged status. Attorneys at Nixon Peabody LLP explain the new procedures. [Read more »](#)

### **Rule 23 Changes: Avoid Delays In Class Settlement Approval**

Among the proposed amendments to Rule 23 of the Federal Rules of Civil Procedure, which are scheduled to take effect Dec. 1, are specific requirements related to "front-loading." They outline the process for seeking preliminary court approval of class action settlements and related notice plans, say Shandarese Garr and Niki Mendoza of Garden City Group LLC. [Read more »](#)

## **LEGAL INDUSTRY**

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### **Dentons Under Scrutiny After UK Maternity Leave Spat**

The Solicitors Regulation Authority is looking into the conduct of some Dentons UKMEA LLP human resources managers that came to light during a gender discrimination dispute last year, a spokesperson for the U.K. legal regulatory body confirmed on Friday. [Read more »](#)

#### **Analysis**

### **Why More BigLaw Firms May Start Ditching Annual Reviews**

At least two global law firms are doing away with their annual associate reviews in favor of ongoing, associate-initiated performance evaluations, a new approach that may be the wave of the future for law firms. [Read more »](#)

### **Federal Judge's Killer Executed After High Court Flurry**

A man who killed an Eleventh Circuit judge and a black civil rights lawyer in 1989 using mail bombs was executed Thursday night in Alabama, following an eleventh-hour stay issued by the U.S. Supreme Court earlier in the day that was later vacated. [Read more »](#)

### **Alston & Bird Settles \$35M Ga. Malpractice Suit**

A former confidant and employee of a widowed Coca-Cola executive's wife and Atlanta-based Alston & Bird LLP have agreed to end that woman's \$35 million Georgia state malpractice suit in a settlement, the plaintiff's lawyer said Friday. [Read more »](#)

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

Taking the measure of President Trump's "Buy America, Hire America" mandate after one year, the general counsel of FactSet weighs in on the European Union's upcoming General Data Protection Regulation, and a settlement between Uber and regulators could change the way companies think about data breaches. These are some of the stories in corporate legal news you may have missed in the past week. [Read more »](#)

#### **Podcast**

### **Law360's Pro Say: The Michael Cohen Saga, Explained**

On the latest episode of Law360's Pro Say podcast, we dig in to some intriguing aspects of the raid on the offices of President Trump's personal lawyer, including the impact on attorney-client privilege and Michael Cohen's high-dollar BigLaw connection. Also this week, we discuss a big Supreme Court case that could have a huge impact on how online retailers pay sales tax and a case that could turn courtroom theater into actual Broadway theater. [Read more »](#)

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

## **JOBS**

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### **LAW FIRMS**

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Gibson Dunn  
Kirkland & Ellis  
McDermott Will  
Paul Hastings  
Squire Patton Boggs  
WilmerHale  
Allen & Overy  
Alston & Bird  
Baldwin Crocker  
Ballard Spahr  
Bernstein Litowitz  
Boies Schiller  
Brown Rudnick  
Buckley Beal  
Cantey Hanger  
Casillas Santiago  
Cohen Milstein  
Cooper & Kirk  
Crowe & Dunlevy  
Day Pitney  
Dickinson Wright  
Elliott Greenleaf  
Eversheds Sutherland  
Florio Perrucci  
Fried Frank  
Goodwin  
Haynes and Boone  
Hogan Lovells  
Hunton Andrews Kurth  
Jones Day  
K&L Gates  
Katten Muchin  
Klee Tuchin  
Latham & Watkins  
LeClairRyan  
Lewis Rice  
Mayer Brown  
McGuireWoods  
Morgan Lewis  
Mumphrey Law Firm LLC

Native American Rights Fund  
Nixon Peabody  
Perkins Coie  
Quinn Emanuel  
Ropes & Gray  
Rosette LLP  
Sam P. Israel PC  
Saul Ewing  
Skadden  
Slack Davis  
Sterne Kessler  
Stroock & Stroock  
Willkie Farr  
Zelle LLP

#### COMPANIES

Wayfair LLC  
American Bar Association  
Natural Resources Defense Council  
PricewaterhouseCoopers  
Twitter Inc.  
AT&T Inc.  
Accenture plc  
Aetna Inc.  
American Cable Association  
American Civil Liberties Union  
American Intellectual Property Law Association  
American Petroleum Institute Inc.  
Burford Capital LLC  
Career Education Corporation  
Center for American Progress  
Comcast Corporation  
Costco Wholesale Corporation  
Deloitte Touche  
Democratic National Committee  
Electronic Privacy Information Center  
Eli Lilly and Company  
Equifax Inc.  
Exxon Mobil Corporation  
Facebook  
FactSet Research Systems Inc.  
Fortress Investment Group LLC  
Garden City Group Inc.  
Google Inc.  
Grant Thornton LLP  
HP Inc.  
Huawei Technologies  
IMF Bentham Ltd.  
IP Owners Association  
Instagram Inc.  
International Business Machines Corporation

Johnson & Johnson  
Jones Lang LaSalle Inc.  
Kaspersky Lab Ltd.  
Koch Industries Inc.  
Kroll Bond Rating Agency Inc.  
Lucas Group  
Major Lindsey & Africa  
Microsoft Corporation  
Miller Buckfire & Co. LLC  
Monsanto Company  
Moody's Corporation  
NBCUniversal Inc.  
National Congress of American Indians  
National Consumer Law Center  
Planned Parenthood Federation  
Public Company Accounting Oversight Board  
SAP AG  
Sierra Club  
Sinclair Broadcast Group, Inc.  
Southwest Airlines Co.  
SuccessFactors, Inc.  
The Boeing Company  
The Coca-Cola Company  
The DIRECTV Group, Inc.  
Time Warner Inc.  
Tribune Media Co.  
Turner Broadcasting System Inc.  
U.S. Chamber of Commerce  
Verizon Communications  
ZTE Corp.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Communications Commission  
Federal Trade Commission  
Federal Bureau of Investigation  
Securities and Exchange Commission  
U.S. Department of the Interior  
Consumer Financial Protection Bureau  
European Union  
Executive Office of the President  
U.S. Department of Labor  
U.S. Environmental Protection Agency  
U.S. Patent and Trademark Office  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
California Attorney General's Office  
California Environmental Protection Agency  
Congressional Budget Office  
Eastern Shoshone Tribe

Federal Aviation Administration  
Federal Deposit Insurance Corp.  
Federal Housing Administration  
Federal Judicial Center  
Food and Drug Administration  
Government Accountability Office  
Indiana Department of Health  
Internal Revenue Service  
National Institutes of Health  
National Labor Relations Board  
National Transportation Safety Board  
New Jersey Department of Environmental Protection  
New York Attorney General's Office  
New York State Department of Public Service  
Northern Arapaho Tribe  
Omaha Tribe of Nebraska  
Pennsylvania Department of Health  
Pennsylvania Supreme Court  
Port Authority of New York & New Jersey  
Shinnecock Indian Nation  
Solicitors Regulation Authority  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Education  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Senate  
United Nations  
World Health Organization  
Wyoming Attorney General's Office

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CLV000373

**To:** Carolyn Levering[clevering@LasVegasNevada.GOV]  
**Cc:** Lora Kalkman[lkalkman@LasVegasNevada.GOV]  
**From:** Carolyn G. Goodman  
**Sent:** Mon 4/11/2016 9:31:28 PM  
**Subject:** RE: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Thank you. Done...copy to you, CL.



**CAROLYN G. GOODMAN, MAYOR**

Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

*City Hall is closed on Fridays*

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**From:** Carolyn Levering  
**Sent:** Monday, April 11, 2016 1:18 PM  
**To:** Carolyn G. Goodman  
**Cc:** Lora Kalkman  
**Subject:** RE: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Well, this is certainly...interesting. I do not recall having seen or heard of such communications from this person until now. I will forward the string to the Fusion Center to follow up on. If his message reached Ted Moody prior to his retirement, he would have sent it along to SNCTC as well. If so, they will have a file started on this person and any communications they may have had with him since. His initial warning in May 2014 has yet to pan out and with no specifics to go on, there's not much we can do.

I recommend your response read something to the effect of:

"Mr. Almon, thank you for sharing your concerns about terrorism and its potential impact to the Las Vegas area. I have recently expressed my own concerns directly with Secretary Johnson of the Department of Homeland Security. As a city, we invest in many resources to ensure the safety of the community and the visitors we serve. As you know, we cannot prevent every possible act of violence or terrorism. We work very hard to ensure communication, cooperation and coordination with our local government agencies, the private sector and our state and federal partners to be prepared to achieve our 5 mission areas: prevent, protect, mitigate, respond, recover from terror attack.

I am forwarding your concerns to our Joint Terrorism Task Force and the Southern Nevada Counter Terrorism Center for further investigation. If you have knowledge of ***specific planned targets, modes of attack, or dates and times of planned attack***, please file a SAR (Suspicious Activity Report) as soon as possible with our [Counter Terrorism Center](#). This report may be sent anonymously if so desired."

I hope this is satisfactory for your use. Please let me know if he persists with non-specific information about how much danger we are in. Thank you!

Carolyn M. Levering, MEd, CEM  
Emergency Manager  
City of Las Vegas  
"Building Community to Make Life Better"  
Office - (702) 229-0770  
[clevering@lasvegasnevada.gov](mailto:clevering@lasvegasnevada.gov)  
[www.LVAlert.com](http://www.LVAlert.com)

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**From:** Carolyn G. Goodman  
**Sent:** Monday, April 11, 2016 12:32 PM  
**To:** Carolyn Levering

CLV000374

Cc: Lora Kalkman

Subject: FW: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Are you aware of this individual and any suggested response.



**CAROLYN G. GOODMAN, MAYOR**

Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

*City Hall is closed on Fridays*

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**From:** [act@preactdontreact.com](mailto:act@preactdontreact.com) [<mailto:act@preactdontreact.com>]

**Sent:** Friday, April 08, 2016 3:15 PM

**To:** Carolyn G. Goodman

**Subject:** PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

The Honorable Mayor Carolyn Goodman:

I am contacting you concerning the information on terrorism below. Due to 2 incidents in Las Vegas and my familiarity with terrorism, I sent the email below to a Las Vegas commander, and have since contacted other commanders, corporate, and a Las Vegas politician with my concerns. Unfortunately, the response was as inadequate as the response the FBI agents, civilians, and well known individuals experienced when warning top DC officials about 9/11. This is why I and others are so reluctant to contact authorities concerning the issue, and specifically why I hesitated to contact the Las Vegas commander with my original warning (due to what I witnessed in Las Vegas). If it were not for the fact so many EU, Australian, Chinese, and Indian friends/kids that I know visit Las Vegas I would just ignore the situation and let it happen and then say I told you so to the media. (I am also covering myself by having proof that I did warn every authority responsible for public safety in Las Vegas, the US, and abroad.) I assure the situation is far worse than you know, and I would not underestimate it or the ruthlessness of the enemy. They have already picked out their targets and made their decision to carry out their missions no matter what. They will have to be physically stopped by and aggressive and competent campaign led by competent and aggressive law enforcement/intelligence officers.

Due to the seriousness of the situation, my ties to the EU, Australia, and other countries, I have warned Ministers that I have had previous contact with and others this week concerning issuing a travel warning to their citizens. I have not mentioned the city of concern, however as of next week I may have to. I do not want to get involved in the situation at all, I like 3 other top terrorist experts are fed up with the incompetence and politicizing of terrorism that has led to the disastrous attacks from 9/11, Paris, San Bernardino, and now Brussels. (The experts are former Clinton & Bush terrorism expert Richard Clark, former CIA agent/CNN consultant Bob Baer, and former Bin Laden desk Chief Michael Scheuer.) We have all reached this point due our being completely correct in our forecasts and strategies for addressing terrorist threats, and the individuals and entities that were listened to being dead wrong each and every time. An audit of my record on forecasting terrorist trends and events to be irrefutably accurate, and an audit of the "experts" to be irrefutably inaccurate.

The individuals that are sought after to address terrorism in the US by the government and media are not actually experts—are you aware of that? If you are counting on US or local counter terrorism officials to save Las Vegas—I would stock up on body bags, you're going to need them.

Those responsible for anti-terrorism measures in Las Vegas and the US as a whole have no idea what they are up against, nor do they have a clue as to how to negate the threat—hence why ISIS/Al Qaeda continue to beat them to the punch.

CLV000375



### **EXAMPLES:**

–The only people that did not know that Ms. Prouty a terrorist mole were the Directors of the FBI and CIA (literally) that fought over her and gave her the highest awards the agencies has [https://www.justice.gov/archive/opa/pr/2007/November/07\\_nsd\\_910.html](https://www.justice.gov/archive/opa/pr/2007/November/07_nsd_910.html) <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>. There are a lot more Nada Prouty's in the US committing the same act. Ms. Prouty proves a Middle Easterner cannot be vetted, there are many just like her in the US that have US passports, driver's licenses, and they are in no way who the government thinks they are right down to the names on those documents.

–This terrorist pioneer lived 2 miles down the road from me [http://articles.chicagotribune.com/1985-06-19/news/8502090070\\_1\\_lebanon-david-berry-nabih-berri](http://articles.chicagotribune.com/1985-06-19/news/8502090070_1_lebanon-david-berry-nabih-berri)

I grew up here and know or have met all of the people connected to this issue and I assure you the situation is far worse than is suspected by authorities. I have met and talked to many of the individuals responsible for stopping these terrorists, and trust me–the terrorists are far ahead of the opposition.

[http://www.mlive.com/news/detroit/index.ssf/2014/08/report\\_more\\_residents\\_in\\_dearb.html](http://www.mlive.com/news/detroit/index.ssf/2014/08/report_more_residents_in_dearb.html)

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=plane+terrorism+dearborn+>

### **LAS VEGAS CONNECTION**

<http://www.wxyz.com/news/local-news/investigations/happys-pizza-headquarters-raided-by-irs-criminal-division-dea> ( Las Vegas has a franchise and a lot more connections to Detroit/Dearborn than you likely are aware of. It is a case of this <https://www.youtube.com/watch?v=JcZHSGyos6g>)

I have talked with the founders of this business several times and this case was strictly about terrorist funding as in this case [http://www.mlive.com/lansing-news/index.ssf/2011/12/report\\_several\\_southeast\\_michi.html](http://www.mlive.com/lansing-news/index.ssf/2011/12/report_several_southeast_michi.html).


In closing, my original warning should have been ran to ground, the fact that it wasn't is proof of just how off and far behind Las Vegas is in addressing Paris and Brussels style attacks (this week every Minister from every foreign country I contacted responded with a phone call or/and email seeking further information because they now *"get it"*.) To be direct, authorities in Las Vegas and the US have their heads in the sands regarding the issue of terrorism and must change their strategy and tactics while they still have a chance to do so. With Las Vegas having the worst inherent terrorist vulnerabilities of any major city, Las Vegas should be much more precise and aggressive in avoiding such an attack (which is possible). An attack in the manner that I have forecast would dwarf the Paris body count by a minimum of X5, however it will be worse. The intelligence, physical security, and counter measures of Las Vegas are an invitation for an attack, and the terrorist know all of the cities vulnerabilities as well as I do.

No casino pit boss, dealer, etc. could have the record of the anti-terrorism leadership and still be employed in Las Vegas, it is the equivalent to them *"losing"* track of a million dollars every day for a year and the casino owners and Gaming Control Board accepting any explanation he came up with as legitimate. This would never happen. The see something say something just does not work as Brussels, Paris, and San Bernardino prove with the number of people that knew and didn't talk for various reasons. The #1 reason is that people simply have no confidence in authorities taking proper action. Examine my experience with the issue, each time I am putting my life and business life in danger by even contacting authorities in Las Vegas, and not once has anyone so much as responded or asked me how and why I reached the conclusions I have reached. This is a mirror of the warning by James Woods cited below regarding 9/11–it all could have and should have been ended right then and there. The mindset of law enforcement/political leadership on the municipal level must change, at the end of the day the battle and ramifications are like all politics–local.

CLV000376

As you know the odds always catch up, and luck runs out. Vegas' luck is about to run out in the worst of ways. If you would like the scenario I war gamed, I will forward it upon your request.

Thank you and good luck-

Sincerely,  
Jerome Almon  


**EMAIL TO LV COMMANDER**

----- Original Message -----

Subject: INFORMATION ON SAFETY ISSUES-LAS VEGAS

From: <[info@thecountermedia.com](mailto:info@thecountermedia.com)>

Date: Sat, May 17, 2014 1:02 pm

To: [ted@tedmoody.com](mailto:ted@tedmoody.com)

Sheriff Moody:

Thank you for your response and time regarding the issues below:

**1)THE TERRORISM ISSUE:**

As you are certainly aware of, Al Qaeda has Las Vegas as one of its top 5 main targets, specifically the Strip. I am certain that the area has been scouted and targets selected based on my experience in the area and my observations of individuals and groups while in Las Vegas. They will hit what is most familiar with them, and Las Vegas is very familiar to them. (For example the mastermind behind 911 graduated from the University of North Carolina <http://edition.cnn.com/2002/US/South/12/19/al.qaeda.aggie/> .

**ACTIONS THAT WILL BE TAKEN BY TERRORIST:**

A) <http://newyork.cbslocal.com/2014/03/19/al-qaeda-magazine-calls-for-car-bombings-in-u-s-new-york>

B) <http://www.cnn.com/2013/09/18/world/asia/mumbai-terror-attacks/>

**RECOMMENDED COUNTER MEASURES:**

A) Special response teams will not get to the site in time, and must be in place PRIOR to any incident in the immediate area.

B) *CONTAIN AND KILL*-officers must be prepared to neutralize the terrorist at the point of attack, i.e. the attacker cannot be allowed out of the building, off the block, or off the side of the street where they attacked (Las Vegas Blvd is a perfect kill zone for a terrorist due to its geography, such as the inability to cross the Strip in certain areas combined with the natural traffic volume.) Point blank, these are the same individuals and groups that Delta Force, Navy SEALs, Army Rangers, Airforce Commandos, and Marine RECON/special forces faced on the battlefields of Iraq and Afghanistan-they are not to be underestimated. (Essentially they are Islamic special forces.) They are going to attack sooner than later.

C) Las Vegas should have its own anti-terrorism unit on the level of the NYPD's anti-terrorism unit, NYC learned its lesson the hard way 911-YOU CANNOT DEPEND ON THE FEDERAL GOVERNMENT TO PROTECT YOUR CITY. As you will

CLV000377

see in the information from the Canadian CIA (CSIS) and the response to that information from both that unit and myself, the federal authorities are grossly out of touch with reality regarding terrorism.

– <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>

– <http://www.nydailynews.com/news/world/fbi-appalled-cia-veterans-defense-agent-nada-nadim-prouty-lies-article-1.258534>

– <http://pamelageller.com/2007/12/hezbo-mole-crack.html/>

I assure you this is not close to the worst.

I am well versed in this area as you will see due to my studies/duties as a university guest lecturer, and personal experiences however most of my experience is first hand. I left college and joined the US Army, several individuals that I attended college with left college and joined our enemy and did fight against the US in numerous war zones around the world. These individuals are supported by groups in America, and know the country as well as you and I do.

#### **TSA NOT TO BE DEPENDED ON**

[http://www.huffingtonpost.com/2013/12/23/airport-security\\_n\\_4494308.html](http://www.huffingtonpost.com/2013/12/23/airport-security_n_4494308.html)

<http://www.cbsnews.com/news/u-s-border-patrol-has-a-sex-abuse-problem-says-whistleblower/>

(Morale within the agency is as low as its competence–my letter warning of issue.)

**30 MARCH 2009**

Secretary Janet Napolitano  
Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

Secretary Napolitano–

I am writing you concerning a pervasive and unacceptable sanctioned policy within the Department of Homeland Security of the sexual harassment of female traveler's entering the United States. I have been informed by numerous female travelers coming to visit me in the United States from Norway, Germany, and especially Canada that they are routinely harassed by male DHS inspectors. I find the allegations completely credible due to the carbon copy stories from the females, and the profile of the females– all attractive teen or near teen girls traveling alone. The harassment is so overt that it is impossible that supervisors are not aware of it, do not witness it, and in fact sanction it.

I have a substantial amount of both academic and field study experience in this area, and have personally witnessed the practice by DHS employees myself. This should be addressed in the open without hesitation. It is insulting to the female travelers, and also opens up US females to the retaliatory actions by the security personnel of other countries– which I assure has happened. Certainly with all the alleged dangers facing Americans and the gaping holes in border security at the various ports of entry, DHS does not have the luxury expending valuable energy and tax payers money on sexually harassing female travelers.

CLV000378

I thank you for your time and consideration and will await your reply.

Sincerely,

Jerome Almon

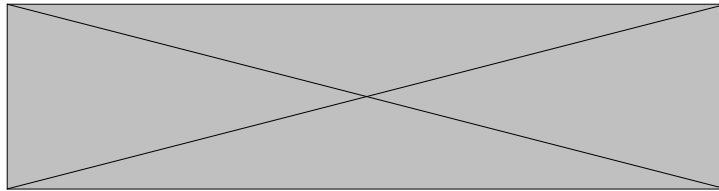
----- Original Message -----

Subject: Re: DHS RAPE/MURDERS-SCHOOL SHOOTINGS

From: "Senator Debbie Stabenow" <[senator@stabenow.senate.gov](mailto:senator@stabenow.senate.gov)>

Date: Wed, December 23, 2015 11:48 am

To: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>



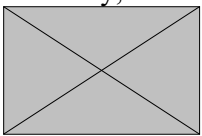
Dear Jerome,

Thank you for contacting me about the reports of sexual misconduct and abuse by U.S. Customs and Border Protection agents. I appreciate that you have taken the time to communicate your views and concerns with me.

I share your concern about this issue. Should related legislation come before the U.S. Senate for a vote, I will keep your views in mind, and share your thoughts on this issue with my colleagues who serve on the Senate Homeland Security and Governmental Affairs Committee.

Thank you again for contacting me. Please continue to keep me informed about issues of concern to you and your family.

Sincerely,



Debbie Stabenow  
United States Senator

U.S. Senator Debbie Stabenow  
The United States Senate • Washington, DC 20510  
[stabenow.senate.gov](http://stabenow.senate.gov)

**POLICE NOT EQUIPPED FOR TERROR ATTACK IN NYC-OR ANYWHERE ELSE**

<http://observer.com/2015/11/sergeants-union-boss-nypd-patrol-cops-not-ready-for-paris-style-terror-attack/>

**9/11 WARNINGS IGNORED BY AUTHORITIES**

<http://www.wnd.com/2006/03/35348/>

CLV000379

<http://www.newsweek.com/saudi-arabia-911-cia-344693>

<http://truth-out.org/archive/component/k2/item/61531:fbi-agent-says-he-warned-of-911-hijackings>

[http://www.democracynow.org/2004/4/9/two\\_fbi\\_whistleblowers\\_accuse\\_bureau\\_of](http://www.democracynow.org/2004/4/9/two_fbi_whistleblowers_accuse_bureau_of)

<http://www.cbsnews.com/news/fbi-was-warned-about-flight-schools/>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=fbi%20agent%20warning%20911>

**WHAT IS NOW DHS AND NYC WERE WARNED AT THE SAME TIME OF THE THREAT AND ONLY ACTED AFTER MY FORECAST CAME TRUE**

----- Forwarded Message -----

**From:** "WEB.COMMENTS@customs.treas.gov" <[WEB.COMMENTS@customs.treas.gov](mailto:WEB.COMMENTS@customs.treas.gov)>  
**To:** [almonjer@yahoo.com](mailto:almonjer@yahoo.com)  
**Sent:** Thursday, September 20, 2001 9:40 AM  
**Subject:** Detroit/Windsor security/GYR

Thanks for your message. I am forwarding it onto the Security Team for investigation.

Customs/GYR

[almonjer@yahoo.com](mailto:almonjer@yahoo.com) (Jerome Almon)

09/14/01 03:54 PM

To: [web.comments@customs.treas.gov](mailto:web.comments@customs.treas.gov), [technical@customs.treas.gov](mailto:technical@customs.treas.gov)  
cc:  
Subject: U.S. Customs Website Comment.

Below is the result of your feedback form. It was submitted by  
Jerome Almon [almonjer@yahoo.com](mailto:almonjer@yahoo.com) on Friday, September 14, 2001 at 15:54:31

email [almonjer@yahoo.com](mailto:almonjer@yahoo.com)

subject-of-this-message: Detroit/Windsor Security

website\_comments: I have had previous contacts with your office issues (specifically Bonnie Tischler). I feel it is necessary to reintroduce this information ( I will send a copy of this information to US Senator Carl Levin.) I have made complaints against certain procedures and individuals at the Detroit/Windsor border crossing. I also corresponded with the Canadian Minister for Immigration (Elinor Caplan) concerning the fact that even the supervisors at the Canadian border do not understand much of the information they need to concerning legitimate vs. false documentation. (I unfortunately am able to prove this point.) Meaning if say a person was on a wanted list -the Canadians often ask the person to interpret the information. Finally the Detroit/Windsor tunnel. It is a disaster waiting to happen. Since the US checks cars AFTER they have entered the tunnel (as does Canada) -doesn't that defeat the objective of stopping a terrorist act in the tunnel? The check should happen before the tunnel is entered, and after-or the tunnel should be closed.

-----  
REMOTE\_ADDR: 24.131.62.95

CLV000380

I originally warned a agent at a federal law enforcement entity of the threat on 9/11 and although he agreed I was correct, he took no action, stating he didn't exactly know what to do regarding the information, and that he was quite frankly stunned at the danger. Only when an individual drove through the tunnel with what appeared to be a bomb on his front seat did the politicians take the matter up, as you will see with NYC. The tunnel is in a far worse position than it was on 9/11 due to Detroit's economic collapse, the influx of more Middle Easterners into Canada, and this <http://www.reuters.com/article/us-detroit-tunnel-bankruptcy-idUSBRE9600RT20130725>.

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Tighter security at border hits snag

Legal issues may block U.S., Canada checks before crossing

By Lisa Zagaroli / Detroit News Washington Bureau

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WASHINGTON -- Checking travelers between the United States and Canada after they've crossed the border -- which some liken to checking airline passengers after they land -- is being scrutinized by officials concerned that bridges and tunnels could be vulnerable to attack. Lawmakers are pressuring the U.S. Customs Service and Canadian officials to come up with a decision this week on whether the countries can swap inspection locations.

An alternative to paying a toll, crossing the bridge or tunnel, and then being scrutinized by Customs officials once inside the other country's territory is to do inspections before crossing.

Although the reverse inspection system is the only solution being lobbied to enhance infrastructure safety, the two nations haven't agreed on how to settle legal obstacles. An old idea revived by the Sept. 11 terrorist attacks, a revised system would involve numerous agencies in both countries in the decision.

"This reverse clearance proposal has a number of sovereignty and structure issues attached to it," said Michel Proulx, spokesman for the Canada Customs and Revenue Agency in Ottawa.

"There are a lot of players involved in all of this. It's difficult to get a sound, concrete answer. No one department or agency would be able to say yes or no."

There's little to stop someone who wanted to damage the Ambassador Bridge, Detroit-Windsor Tunnel, or even Detroit Metropolitan Airport, if the crime is done before the perpetrator even gets to an inspection point, critics say.

Besides the human safety concern, destroying any one of the border-crossing points would do serious harm to the auto industry, one of the United States' economic engines, and many other businesses that rely on just-in-time delivery of material. Michigan had \$70 billion in

trade with Canada in 2000.

**"Every time I drive through that tunnel, I expect something to happen," said Jerome Almon, a Detroit resident who drives to and from Toronto at least twice a month.**

**"Osama bin Laden says the economy is what they want to attack, and you cannot find a more decimating effect than that bridge or tunnel on our economy. You will kill Detroit, it's over, goodbye. But think of the effect on the rest of America."**

Firearms an issue

Aside from jurisdiction, the question of whether U.S. Customs agents should carry firearms in Canada is of particular concern to Canadians. Canada is known for being much less tolerant of guns than the United States.

"Our Customs officers are not armed and at this point in time we still feel there is no reason for them to be," Proulx said.

"We have a study going on right now to determine whether the tools they have are adequate to do their jobs safely and with full security. The U.S. (agents) are (armed) and definitely that would be one of the snags in the issue."

The preclearance concept does have precedent. U.S. Customs agents inspect U.S.-bound passengers at six Canadian airports so they don't have to be routed through Customs once they arrive like travelers on flights from every other country, said former Michigan Gov. James Blanchard.

He spearheaded the "open skies" agreement when he was U.S. ambassador to Canada.

The real stumbling block to doing this at bridges and tunnels will be working out how much authority each side is given to enforce the other country's laws, he said.

"You could always prevent (a suspicious passenger) from getting on the plane," Blanchard said. "The question is who arrests them, can they say 'I choose not to fly' then go home, or do we hold them?"

Sen. Carl Levin, D-Detroit, said he thinks all of the issues can be worked out.

"The only impediment here is bureaucratic impediment," he said. "Even though there's supposed to be an urgency after Sept. 11, there seems to be some unnecessary foot-dragging."

Levin and Sen. Debbie Stabenow, D-Lansing, sent a letter to Customs Commissioner Robert Bonner on Jan. 4, insisting on a progress report by Friday.

"It is obvious that inspecting vehicles for dangerous contents such as bombs or explosives after they enter our tunnels or cross our bridges is inadequate," they wrote.

Customs spokesman Jim Michie said he wasn't sure when a decision would be made on reverse inspections, but that it was being closely studied.

Tighter local security

Local authorities say they've taken the steps they can to bolster security.

Travelers who use the Detroit-Windsor Tunnel are no longer allowed through unless operators are certain they can make to the other side without backups, said Gordon Jarvis, president of the Detroit & Canada Tunnel Corp.

"If there is an incident and you need to get out, there is space for you to do so, and there are fewer cars in the tunnel at any one time," Jarvis said. "It also makes it much easier for us to identify when there are incidents in the tunnel."

Jarvis said reverse inspections are a viable option at the tunnel, despite the smaller queue area, compared to other crossing points like the Ambassador Bridge.

The owners of the Ambassador Bridge have installed new lighting, fencing and surveillance cameras, as well as armed security 24 hours a day, said Dan Stamper, president of the Detroit International Bridge Co. Stamper said the bridge company is paying for the extra security.

"We're not sure whose responsibility it is for the cost of security, but we are not in the position to say it's not going to be done," he said.

The bridge authority has completed plans showing that logistically, preclearance can be implemented on an interim basis within 90 days, Stamper said. In doing so, there would be the added bonus of huge efficiencies in traffic flow.

"The current six lanes that cross the border, two at the tunnel and four at the bridge, become traffic lanes and not parking lots," Stamper said. "It increases the capacity of both the tunnel and the bridge, a lot more than anything else we can do today."

#### Blue Water Bridge study

Bruce Campbell, the engineer manager of the Blue Water Bridge, said the proposal is being examined as part of a long-term security review of the span connecting Port Huron with Sarnia, Ontario.

With the Ambassador Bridge being the busiest U.S.-Canada entry point, carrying 12 million vehicles a year, the economic implications for the region are enormous.

"One 18-wheeler goes across that bridge every eight seconds," said Carmine Palombo, director of transportation planning at the Southeast Michigan Council of Governments.

The implications for the bridge and tunnel operators are significant as well.

"They're all looking at an out-of-pocket expense they hadn't anticipated," said Neil Gray, director of government affairs at the International Bridge, Tunnel and Turnpike Association, which represents toll agencies.

"Nobody wants to do a toll increase to reflect this, in fact I'm not sure anyone has proposed one, but it's an issue we are all having to think about."

Protecting airports is a concern as well, though most of the attention has been on protecting aircraft against air piracy, Capt. Duane E. Woerth, president of the Air Line Pilots Association, told senators late last year.



Noting that airports in Rome and Vienna have been hit, Woerth said he's worried terrorists could attack ticket counters, check-in facilities and lines of passengers waiting outside.

Airlines, bridges and tunnels are experiencing lower traffic flow because of leisure travelers concerned about terrorist risks.

**Almon, the Detroit resident who travels to Toronto on business, said he's a former combat engineer with the Army and he's concerned about how easily a carload of explosives put together with store-bought material could take out the bridge or tunnel.**

**"At the mouth of the Detroit tunnel sits General Motors headquarters, a terrorist would get two for one with that," Almon said.**

<http://www.dailymail.co.uk/news/article-1334404/US-subway-tunnels-terror-proof-600m-ring-steel.html>  
<http://nypost.com/2010/11/30/path-tunnels-get-600m-ring-of-steel/>

<http://www.cbc.ca/news/canada/windsor/story/2012/07/12/wdr-windsor-detroit-tunnel-closed.html>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=bomb%20in%20detroit%20windsor%20tunnel>

Ahmed Ressam, the Millennium bomber had the Detroit-Windsor tunnel, GM HQ, and the Ambassador Bridge as his secondary targets if he could not reach LAX. Had he chosen either, he would have been 100% successful and 9/11 would not be close to America's worst terrorist attack. <https://www.fbi.gov/about-us/history/famous-cases/millennium-plot-ahmed-ressam>

**THIS EMAIL WAS THE RESULT OF ONE OF NUMEROUS SECURITY WARNINGS I SENT TO THE CANADIANS COMING TRUE AND THE US SECURITY AND POLITICAL AUTHORITIES NOT UNDERSTANDING THE IMMINENT DANGER**

From: Minister of Transport, Infrastructure and Communities / Ministre des Transports, de l'infrastructure et des Collectivités <[MINTC@tc.gc.ca](mailto:MINTC@tc.gc.ca)>

Date: Thu, Oct 13, 2011 at 1:24 PM

Subject: Proposed construction of a new bridge

To: "[REDACTED]"

Cc: "[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)" <[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)>

Dear Mr. Almon:

Thank you for your correspondence of July 18, 2011, regarding the proposed construction of a new bridge between Detroit and Windsor. Please accept my apologies for the delay in replying.

Again, thank you for writing and for providing me with your comments.

Yours sincerely,

CLV000384

Denis Lebel, P.C., M.P.

c.c. Office of the Right Honourable Stephen Harper, P.C., M.P.  
Prime Minister

The issue with the Ambassador Bridge is equally troubled, the owner has successfully blocked a new bridge being built. The issue too closely resembles the Dubai Ports issue [https://en.wikipedia.org/wiki/Manuel\\_Moroun](https://en.wikipedia.org/wiki/Manuel_Moroun). Ottawa wrote me 90 days after my warning to CYA and because again what I warned them about occurred.

The largest portion of the trade comes through the tunnel and bridge mentioned <https://www.commerce.gov/news/blog/2014/01/secretary-pritzker-highlights-strong-economic-partnership-between-usa-and-canada>

**PARIS-SAN BERNARDINO-BRUSSELS**

----- Original Message -----

Subject: RE: JEROME FROM WAYNE STATE UNIVERSITY

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Wed, October 21, 2015 11:44 am

To: "Mitja\_Žagar" <[mitja.zagar@guest.arnes.si](mailto:mitja.zagar@guest.arnes.si)>

Dr. Zagar-

Good to hear from you. I am sorry I just got to my email messages, I am working on several other huge projects that all come back to the migrant issue. I will have to hook up Skype, I don't know how it works to be honest.

The situation in the States is pretty dire. We are essentially at civil war with the country collapsing socially. All of the work that you and Dr. Feinstein did and your forecasts turned out to be 100% accurate. Simply put, America bet on the wrong people with the wrong plans and now we are getting our comeuppance.

I am against the re-settling of immigrants in the US or Europe, it will most certainly lead to more conflict in both areas and the Middle East. The only hope is establishing a safe zone in Syria and Iraq, which is as close to impossible as it gets considering the collapse of the basic structures and the radicalization of the factions. Electing George Bush was the worse event that has happened to the world since WWII. I will get on Skype and send you another email asap. I am moving to Berlin to work on a large social media project in the next 30-60 days. In the meantime I am sending these articles for your review concern my thoughts on the migrant issue. Would you be able to attend a conference on the issue of the migrants and school shooter issues in Europe or the US with all expenses and a fee paid to you?

CLV000385

The other issue I am extremely concerned about is a threat that would end Detroit, cost America 2 million jobs in a week, and plunge the stock market to below 2008 and 911 levels. The Iran deal was done in part due to Iran has 40,000 agents in or at America's borders prepared to attack if Iran's nuclear facilities were attacked. That is the good news, the bad news is the Sunnis have 3X that many agents in the US and are preparing for their "Islamic Tet offensive." With Russia, out of necessity intervening in the Syrian/Iraq war and the US govt. giving behind the scenes approval for the Russian-Iranian-Alawite axis which will inevitably bring in Israel and the US the Sunnis will go after the US and Canadians on their own soil in a much more aggressive and massive way. My assessment is that the Chinese will be drawn into the war due the unrest with the Xinjiang Province and the Uighars. The Islamic State (IS) has spread throughout Central Asia and will take Afghanistan and defeat the Taliban in the end unless there is a "mass war event." It is my contention that Putin has decided to that. He cannot lose the Syrian-Iraq War, he cannot allow the IS to continue to grow in the Central Asian Republics, and Afghanistan, and he is not giving up Crimea, and does not have the military resources nor money to fight a prolonged war. I believe Putin is planning to use a tactical/battle field nuclear weapon (NATO appears to be thinking that way on the Ukraine which is insane). Most of the intelligence guys that I respect believe that is the only way to stop the IS/Sunnis or to completely withdraw from the Middle East. What is your opinion?

Thanks-

Jerome

(My numbers on the size of the networks mentioned are accurate I assure you. 2 other respected security/intelligence officers that have a proven track record of accuracy, agree with me. The messages I sent to US authorities were more detailed and were sent in the Spring of 2014, and the Spring and Summer of 2015.)

#### **DR. ZAGAR BIO**

#### **CV**

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=mitja%20zagar%20cv>

#### **INTERVIEW**

[http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h\\_b\\_7620756.html](http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h_b_7620756.html)

#### **PUTIN STATEMENT ON NUCLEAR WEAPONS**

<http://www.express.co.uk/news/world/625465/Islamic-State-Russia-Vladimir-Putin-threatens-bomb-ISIS-nuclear-weapons>

CLV000386

## **WARNING TO AIRLINE INDUSTRY THAT FORESAW BRUSSELS ATTACK**

----- Original Message -----

Subject: THE THREAT OF TERRORISM TO THE TRAVEL INDUSTRY AND CORRECTIONS  
THAT MUST BE MADE

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Sun, November 29, 2015 7:59 pm

To: [president@apfa.org](mailto:president@apfa.org), [Nancy.Rivard@airlineamb.org](mailto:Nancy.Rivard@airlineamb.org),  
[public-comment@alliedpilots.org](mailto:public-comment@alliedpilots.org), [PMclsaac@americanpilots.org](mailto:PMclsaac@americanpilots.org),  
[comm.chair@alliedpilots.org](mailto:comm.chair@alliedpilots.org)

Cc: [communications@apfa.org](mailto:communications@apfa.org)

Sir or Madam: I am forwarding the following information sent to first responders, due to its application to your industry. To be direct, I have warned your union several times since 9/11 of these very threats, and the actions of the leadership has not matched the threat. Unfortunately, this is the same conduct of law enforcement and political leadership regarding what is now a catastrophic situation. That is, the industry will suffer huge losses in both personnel and revenue due to the lack of taking prudent steps to pre-act rather than react to obvious threats. The only hope in negating or minimizing the threat is for the travel, hotel, and tourism industries along with the pilot and flight attendant unions (and their allies) to join forces and seek to have necessary security and industry support measures put in place without political consideration. The needed measures must be completely based on the real world security and economic threat that exists, and is getting worse by the minute. The losses France and Belgium are suffering are just the beginning, and minor in compared to an Egypt Air or Russian Sharm El Sheikh incident in North America or Europe. I assure you, the threat is far worse than is known even to most of the law enforcement community.

Sincerely,

Jerome Almon

### **ECONOMIC IMPACT**

<http://www.dailymail.co.uk/news/article-3338173/Terror-attacks-Paris-means-visitor-numbers-Europe-tumble-France-lost-1-4bn-tourism-revenue.html>

<http://www.dailymail.co.uk/news/article-3338512/EU-leaders-agree-Turkey-2-1-billion-help-tackle-migrant-crisis-tighten-security-borders.html>

### **UNADDRESSED THREATS TO YOUR INDUSTRY**

CLV000387

–Foreign pilots compromised by ISIS or Al Qaeda committing an act similar to the pilot of Egypt Air 990 at an airport, city, or against another passenger airliner –An attack on airports using car/truck bombs and suicide bombers/shooters against shuttle buses and the non-secure areas of the airport such as ticketing –Compromised airport personnel (this is worse than is indicated here)

<http://www.nydailynews.com/news/world/isis-terrorist-minneapolis-worked-major-american-airport-report-article-1.1925924>

<http://www.express.co.uk/news/world/622702/easyJet-Paris-attacks-France>

<https://www.rt.com/news/323811-paris-airports-fired-radicalization/>

### **TRUE STATE OF THE TERRORIST THREAT IN AMERICA**

From Canada's CIA (CSIS):

*"Many Canadians may be surprised to learn that, with the exception of the United States, there are more terrorist groups active in Canada today than in any other country in the world."*

### **VERIFICATION**

<http://www.torontosun.com/2013/01/23/algerian-terrorists-had-canadian-ties-eh>

The information was removed from the website in late 2013 due to White House protests, the largest number of these terrorist are at the South end and North end of the tunnel and bridge cited below.

### **THESE REPORTS ARE FICTION**

<http://www.cnn.com/2015/12/01/politics/isis-in-united-states-research/>

<http://www.foxnews.com/world/2016/03/23/is-trains-400-fighters-to-attack-europe-in-wave-bloodshed.html>

There are more than 400 ISIS operatives and 300 recruiters in my neighborhood. As with the deliberate ignoring of the 9/11 warnings, these non-scientific reports will result in the deaths of untold numbers of civilians.

### **ISIS INTELLIGENCE FRAUD**

<http://www.cnn.com/2015/12/01/politics/michael-flynn-obama-isis/>

<http://www.thedailybeast.com/articles/2016/04/03/intel-analysts-we-were-punished-for-telling-the-truth-about-obama-s-isis-war.html>

[http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?\\_r=0](http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?_r=0)

This failure to provide and act on the factual information regarding ISIS has led to every death of Westerners from 2012 forward– at least including Paris and Brussels. It also has American cities in the disastrous position they are in.

#### **BND WARNING TO GERMAN CHANCELLOR ANGELA MERKEL**

<http://www.dailymail.co.uk/news/article-3290092/Germany-s-secret-service-warns-country-importing-Islamic-extremism-anti-Semitism-people-s-ethnic-conflicts-different-understanding-society.html>

#### **NEW YEARS EVE RAPES/RAPES ACROSS EUROPE FROM REFUGEES**

<http://www.dailymail.co.uk/news/article-3388422/Huge-influx-migrant-men-lead-sex-attacks-like-Cologne-says-analyst-police-reveal-gangs-blocked-reaching-women-screamed-help.html>

#### **REFUGEE SUPPORTER AND MAYOR OF COLOGNE VICTIM AND HYPOCRITE**

#### **COLOGNE MAYOR FIRES POLICE CHIEF OVER NEW YEARS EVE RAPES**

<http://www.thelocal.de/20160108/po>

#### **COLOGNE MAYOR STABBED FOR SUPPORTING REFUGEES**

<http://www.thelocal.de/20151017/german-mayoral-candidate-stabbed-in-cologne>

#### **ATTACKS ON REFUGEES IN GERMANY REACHES MORE THAN 1,000**

<http://www.dw.com/en/report-five-times-more-attacks-on-refugee-homes-in-germany-in-2015/a-19011109>

#### **EU/AUSTRALIAN ISSUE**

<http://www.dailymail.co.uk/news/article-3291416/Google-defamed-Australian-woman-auto-complete.html>

<https://www.google.com/#filter=0&q=American,%20Australian,%20And%20European%20Group%20Calls%20For%20Shut%20Down%20Of%20Ripoff%20Report>

**WE ARE NOW AT THE CENTER OF THIS CASE IN THE EU**

<http://www.wsj.com/articles/eu-to-pursue-google-parent-alphabet-on-multiple-fronts-vestager-says-1445817842>

**RIPOFF REPORT IS THE BUSINESS AND ROLE MODEL FOR THESE CRIMINALS**

<http://www.nbcnews.com/news/crime-courts/revenge-porn-kingpin-hunter-moore-pleads-guilty-faces-jail-n313061>

<http://www.nbcsandiego.com/news/local/Kevin-Bollaert-Revenge-Porn-Sentencing-San-Diego-298603981.html>

[http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article\\_cce5e80f-786a-5f66-8763-3ecb30cadb71.html](http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article_cce5e80f-786a-5f66-8763-3ecb30cadb71.html)

On Fri, 10/20/06, [bayly@.de](mailto:bayly@.de) <[bayly@.de](mailto:bayly@.de)> wrote:

From: [bayly@.de](mailto:bayly@.de) <[bayly@w.de](mailto:bayly@w.de)>

Subject: FW: jerome almon

To: [REDACTED]

Date: Friday, October 20, 2006, 3:42 PM

hey jerome... how ru doing? well, received the following e-mail today.... tell me if i should give him the contacts he wants or if u wanna do it urself... my mom is here for 4 days.. been to jazz concert yesterday and will go to branford marsalis concert 2morrow... its jazz too.... and right now just got back from the adidas store... man i am addicted ;) cant go there without buying smth... even when i am broke just like right now... well, hope to hear from u...

(I refused to do the documentary below for the same reasons certain entities need to police themselves better.)

Von: "scott corben"

Gesendet: 20.10.06 12:41:27

An: [bayly@.de](mailto:bayly@.de)

Betreff: jerome almon

Hi Katja,

I got your contact details from Marie at Freemuse in Denmark. My name is Scott Corben and I am a producer with Al Jazeera Television in London.

CLV000390

I am researching a piece on soldier in the United States and  
I am really keen to speak to a guy called Jerome Almon. I believe he is based in Detroit. Maries tells  
me that you may have some way of contacting him. If you have an up to date email or phone  
number I'd really appreciate it.

Look forward to hearing from you

best regards,

Scott

Producer/Director "Top Secret"  
Al-Jazeera Satellite Channel Ltd  
7th Floor Westminster Tower  
3 Albert Embankment London SE1 7SL  
Switchboard: [+44 \(0\) 207 820 4820](tel:+442078204820)  
Fax: [++44 \(0\) 207 820](tel:+44207820)

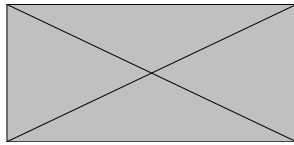
## **BIO**

–I am a university lecturer/expert on domestic violence, international politics, terrorism,  
and urban crime. I worked under global experts Dr.'s Mitja Zagar (Slovenia and co-author  
of their Constitution/Syrian refugee & security expert/Top EU negotiator), Otto Feinstein  
head of the Urban Agenda and author of Ethno-Development, Richard Mansbach-CIA  
consultant, and worked on the UN project at the University of Toronto the Delphi Project  
out of Belgium. Recommendation on a security issue led to DHS changing its border policy  
and NYC spending \$600 million to correct a catastrophic security flaw. I have been the  
target of an Al Jazeera documentary due to my correct predictions as well as featured on  
the front page of the most visited Jihadist website on Earth for a decade.

–1 year tour in the first Iraq War, am a paratrooper, combat engineer (explosives expert,  
featured on A&E for saving my unit's mission during combat, and awarded directly from  
the Pentagon for saving my task force's mission), was drafted as a translator during the  
war and POW camp designer, taught my brigade basic Arabic language, numerals, and  
history.



**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 12/23/2016 8:44:04 AM  
**Subject:** [Marketing Mail] State, Local Labor Rules May Rise To Counter Pro-Biz Trump



**PUBLIC POLICY**

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**Friday, December 23, 2016**

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## **TOP NEWS**

### **Analysis**

#### **State, Local Labor Rules May Rise To Counter Pro-Biz Trump**

On Tuesday, Washington, D.C., became the latest municipality to institute a generous paid family leave policy, with eight weeks' child-care leave and six weeks to look after sick relatives, continuing a trend of employee-friendly local and state regulations that management-side attorneys believe could accelerate as the incoming Trump administration effects a more pro-business mindset.

#### **Obama Admin. Ends 'Obsolete' Visitor Registration Program**

The Department of Homeland Security announced Thursday it's scrapping an 'obsolete' program once used to track men from countries with sizeable Arab and Muslim populations, in the wake of expressed concerns from civil rights groups and political leaders that it could be used by President-elect Donald Trump to create a registry for Muslims.

#### **Dems Push Trump To Keep Obama OT Pay Expansion Intact**

A group of 18 congressional Democrats, led by Sen. Patty Murray of Washington and Rep. Bobby Scott of Virginia, have urged President-elect Donald Trump not to scrap the U.S. Department of Labor's rule expanding overtime protections to millions of white collar workers, which was a signature initiative of the Obama administration.

#### **NC Pols Don't Undo Bathroom Law Despite Apparent Deal**

North Carolina lawmakers were unable to follow through on a plan Wednesday to repeal the state's infamous law requiring transgender people to use public bathrooms and other facilities that correspond to the sex on their birth certificates, just days after incoming Gov. Roy Cooper had brokered a potential deal to scrap the law.

#### **The Biggest NJ Policy Developments Of 2016**

A deal to boost transportation funding, waterfront access rules and the state takeover of a struggling Atlantic City were among New Jersey's defining legislative and regulatory measures in 2016, but the year also was marked by failed efforts to increase the minimum wage and give raises to judges.

#### **Boston Dodges Taxi Drivers' Unfair Uber, Lyft Regs Suit**

A Massachusetts federal judge on Wednesday tossed a suit from Boston taxicab drivers alleging city officials violated the equal protection clause by applying stringent regulations to traditional taxicabs but not to so-called transportation network companies such as Uber and Lyft, saying a newly enacted state law moots their claims.

## **BANKING & SECURITIES**

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### **SEC Escapes Risk-Retention Rule Suit In DC Circ.**

## **LAW FIRMS**

Agostino & Associates  
Arnold & Porter  
Audet & Partners  
Bancroft PLLC  
Bartlit Beck  
Berwin Leighton  
Bingham McCutchen  
Boies Schiller  
Bragar Eagel  
Cahill Gordon  
Chadbourn & Parke  
Chiesa Shahanian  
Cleary Gottlieb  
Connell Foley  
Covington & Burling  
Cravath Swaine  
Cuneo Gilbert  
DLA Piper  
Davis Graham  
Dentons  
Duane Morris  
Edelson PC  
Eversheds LLP  
Foley & Lardner  
Fox Rothschild  
Gordon & Rees  
Graves Dougherty  
Greenberg Traurig  
Hengeler Mueller  
Hickey & Evans  
Hogan Lovells  
Hueston Hennigan  
Hunton & Williams  
Husch Blackwell  
Irell & Manella  
Jenner & Block  
Johnson & Bell  
Jones Day  
Kaye Scholer

CLV000392

A D.C. federal judge on Thursday granted a bid by the U.S. Securities and Exchange Commission to toss a Wall Street interest group's challenge to federal requirements that investment firms retain an interest in debt securities they issue, saying the agencies responsible acted within their rights.

### Senate Dems Push Wells Fargo For Info On Fake Accounts

Senate Democrats on Thursday pushed Wells Fargo & Co.'s board of directors to answer questions related to the phony account-generation scandal that the bank's former chairman and CEO failed to satisfactorily address in his widely panned fall testimony.

### Green Finance Panel Forms Amid EU Capital Markets Push

The European Commission revealed Thursday the makeup of a sustainable investing panel to advise the European Union on its ambitious capital markets initiative for increasing member states' access to financing.

## ENERGY & ENVIRONMENTAL

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### Enviros Blast Challenge To NY Nuclear Plant Subsidies

Environmental groups this week threw their support behind New York state's defense of its plan to subsidize three struggling nuclear power plants as part of its clean energy program, telling a federal judge that claims the subsidies usurp Federal Energy Regulatory Commission authority over wholesale electricity markets are meritless.

## IP & TECHNOLOGY

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### USPTO Extends 'Missing Parts' Patent Program

The U.S. Patent and Trademark Office has extended its Extended Missing Parts Pilot Program through the beginning of 2018 to allow the federal agency to continue to evaluate whether to make permanent the initiative, which reduces costs for patent applicants, according to a Wednesday notice.

## TRANSPORTATION & INFRASTRUCTURE

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### DOT Expands Drug Testing Regs To Temp Truck Drivers

The U.S. Department of Transportation on Thursday expanded drug and alcohol testing requirements for truck drivers to include commercial drivers employed by staffing agencies.

### Calif. Motorists Can Retool Toll-Fine Due Process Suit

A federal judge dismissed most of a proposed class action alleging the operators of a cashless toll system in Orange County, California, levied inflated fines and deprived drivers of meaningful opportunities to challenge those fines, but gave the drivers a chance to amend their due process claims.

## EMPLOYMENT

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### Murray, AFL-CIO Call On Puzder To Release Worker Docs

Sen. Patty Murray, D-Wa., joined AFL-CIO President Richard Trumka and other worker advocates on Thursday to call on labor secretary nominee Andrew Puzder, the CEO of the company that operates fast-food chains Carl's Jr. and Hardee's, to release documents clarifying the company's policies toward employees.

### Texas Mutual Wins Fee Fight With Air Ambulance Co.

Texas Mutual Insurance Co. won its appeal of an order from the State Office of Administrative Hearings when a Texas state judge recently sided with it in a fee

King & Wood Mallesons  
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Squire Patton Boggs  
Stone Loughlin  
Sullivan & Cromwell  
Sutherland Asbill  
Venable LLP  
Weil Gotshal  
Winston & Strawn  
Zeldes Haeggquist

## COMPANIES

AT&T Inc.  
AXA SA  
Altman Weil Inc.  
America Fujikura Ltd.  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Federation of Television and Radio Artists  
American Immigration Lawyers Association  
Association of Corporate Counsel  
Aviva Investors Holdings Ltd.

CLV000393

dispute with PHI Air Medical LLC over the cost of transporting patients covered by workers' compensation insurance.

## PRIVACY & CONSUMER PROTECTION

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### Franken Raises Data Privacy Concerns After Uber App Update

U.S. Sen. Al Franken, D-Minn., is urging Uber CEO Travis Kalanick to rethink the latest update to the car-hailing app, saying in a letter sent Wednesday that new restrictions on users' ability to control access to their location merits new privacy policies.

## INTERNATIONAL TRADE

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### US Anti-Dumping Duties Draw Fire During WTO Review

The World Trade Organization on Wednesday ended its comprehensive audit of United States trade practices with complaints the U.S. has been too liberal in its use of anti-dumping duties.

### US Threatens EU With New Tariffs Over Beef Hurdles

The Obama administration on Thursday threatened to reinstall steep retaliatory tariffs on a litany of European Union products in light of Brussels' failure to sufficiently open its market to imports of U.S. beef, reigniting a dispute that reaches back to the Clinton administration.

## TAX

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### Tax Court Says Amended Info Can't Back \$64.5M Deduction

The U.S. Tax Court on Thursday held that information from a donee organization that no goods were provided in exchange for a charitable contribution does not eliminate the donor's requirement to substantiate that information by contemporaneous written acknowledgment to receive a deduction.

### EU Top Court Says Portugal's Exit Tax Is Discriminatory

Europe's highest court ruled on Wednesday that an exit tax imposed by Portugal on residents who exchange shares and leave the country is discriminatory on the grounds that it violates treaties upholding the freedom of movement and establishment.

## IMMIGRATION

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### USCIS Tells Cos. To Stop Identifying Returning Guest Workers

U.S. Citizenship and Immigration Services has told employers who had been using the returning worker exemption to avoid a cap under the guest worker visa program to stop flagging returning employees, now that Congress has allowed the exemption to lapse.

### IDNYC Data Dump Delayed By Judge, Pending Hearing

A New York state judge on Wednesday said that New York City must hold off on destroying documents related to applications for the city-issued IDNYC identification cards, saying that he wants to hear testimony about the retention of the public records related to immigrant applicants.

## NATIVE AMERICAN

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### Tribe Must Solve Disputed Election On Its Own, Judge Says

A Rhode Island federal judge decided Thursday it was up to the Narragansett Indian

CKE Restaurants, Inc.  
Center for American Progress  
Center for Constitutional Rights  
Charter Communications Inc.  
DISH Network Corporation  
Dynegy Inc.  
El Paso Corporation  
Entergy Corporation  
Environmental Defense Fund Inc.  
Exelon Corporation  
IMS Health Inc.  
London Stock Exchange Group PLC  
Lyft Inc.  
NRG Energy Inc.  
National Association of Broadcasters  
National Basketball Association  
National Collegiate Athletic Association  
National Telephone Cooperative Association  
Natural Resources Defense Council  
Northern Mariana Islands Retirement Fund  
Orange County Transportation Authority  
Praxair, Inc.  
Sabre Holdings Corp.  
Sirius XM Radio Inc.  
Talen Energy Corp.  
Tele2 AB  
Texas Mutual Insurance Co.  
Toys "R" Us Inc.  
U.S. Airways Group Inc.  
Uber Technologies Inc.  
Verizon Communications  
Wells Fargo & Co.

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Land Management  
California Environmental Protection Agency  
Consumer Financial Protection Bureau  
Equal Employment Opportunity Commission  
European Commission  
Federal Bureau of Investigation  
Federal Communications

Tribe to resolve a disputed election, impeachment and power dispute, adding he was leaning toward dismissing the case.

### **Colo. Tribe Says BIA Whistleblower Report One-Sided**

The Southern Ute Indian Tribe blasted the U.S. Office of Special Counsel for recently stating that the Bureau of Indian Affairs removed a whistleblowing employee after he angered the Colorado tribe about certain gas leases, denying on Wednesday that the Utes did anything improper.

### **Calif., New Mexico Intervene In BLM Flaring Rule Suit**

California and New Mexico on Wednesday urged a Wyoming federal court to reject a bid by other states to block implementation of a new Bureau of Land Management rule aimed at limiting the release of methane from drilling operations on federal and Native American lands, the same day the court granted a bid from the two states to intervene in the case.

## **TELECOMMUNICATIONS**

### **Analysis**

#### **EU Data Retention Slam Offers Telecoms Cloudy Path Forward**

The European high court's declaration Wednesday that bulk data retention mandates can't fly provides certainty to telecoms about what they can't do under national laws, but the court's lack of clarity on what data they should still hold on to for law enforcement is likely to leave service providers in a bind.

#### **Rural Broadband Group Urges Caution In Next-Gen TV Rollout**

A trade group representing rural pay-TV providers urged the Federal Communications Commission Wednesday to take a cautious approach as it mulls new rules to advance "Next Generation" TV broadcasting, requesting the commission issue a notice of inquiry prior to any rulemaking.

## **EXPERT ANALYSIS**

### **Why Calif. Law Shouldn't Stop IMDb From Posting Actor Ages**

A new California law compels IMDb.com to remove actors' ages from its website upon their request. The law is an attempt to stop age discrimination in Hollywood. The law is also unconstitutional, says Dan Terzian of Duane Morris LLP.

### **What To Know About New HHS Civil Monetary Penalties**

More than two years after its first proposal, the U.S. Department of Health and Human Services issued two final rules updating its civil monetary penalty regulations and safe harbors under the anti-kickback statute. While the latter rule has received more media attention, the CMP final rule includes important guidance on the agency's administrative enforcement authorities, say Judith Waltz and Jill Wright of Foley & Lardner LLP.

### **Some Considerations As Fed Provides Volcker Rule Relief**

The Federal Reserve Board recently released guidance clarifying how banking entities may request additional time to divest or conform their investments in certain illiquid funds to the Volcker Rule. However, the timing of the guidance presents specific challenges and considerations, say attorneys with Arnold & Porter LLP.

## **LEGAL INDUSTRY**

### **5 Events That Rocked The Legal Industry In 2016**

From a new first-year salary benchmark to the first data breach class action lodged against a law firm, here are the events that shaped the legal industry in 2016.

### **Want Diverse Lawyers? Don't Let Them Mention Sailing**

A new study of how BigLaw recruits from second-tier law schools has found that

Commission

Federal Energy Regulatory Commission

Federal Motor Carrier Safety Administration

Federal Reserve System

Internal Revenue Service

Massachusetts Legislature

Massachusetts Port Authority

Narragansett Indian Tribe

New York Attorney General's Office

North Carolina General Assembly

Office of the Comptroller of the Currency

Securities and Exchange Commission

Southern Ute Indian Tribe

U.S. Attorney's Office

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Office Of Special Counsel

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court

even subtle hints of an upper-class background make privileged white men more likely to get an interview.

### **Law360's Weekly Verdict: Legal Lions & Lambs**

O'Melveny & Myers LLP topped this week's list of legal lions when it secured an important appellate victory for SiriusXM in litigation over pre-1972 song royalties while Cleary Gottlieb Steen & Hamilton LLP and its co-counsel were among the legal lambs after a jury leveled a \$15 million verdict against their client in antitrust litigation with U.S. Airways.

### **KWM Files Protection Notice As Administration Looms**

Financially struggling global law firm King & Wood Mallesons filed a notice of intention to appoint administrators in U.K. court, the firm confirmed Thursday, setting the stage for a possible descent into administration.

### **In Case You Missed It: Law360's Hottest Stories Of 2016**

For those who missed out, here's a look back at the articles that generated the most buzz on Law360 in 2016.

### **Law360 Closed For The Holidays**

The offices of Law360 will be closed from Monday, Dec. 26, to Monday, Jan. 2, for the holidays. Publication of news articles and newsletter delivery will resume Tuesday, Jan. 3.

#### **JOBS**

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Graves Dougherty  
Hengeler Mueller  
Hickey & Evans  
Hogan Lovells  
Hueston Hennigan  
Hunton & Williams  
Husch Blackwell  
Irell & Manella  
Johnson & Bell  
Kaye Scholer  
King & Wood Mallesons  
Kirkland & Ellis  
Klasko Immigration Law Partners  
LeClairRyan  
Liner LLP  
Linklaters  
Littler Mendelson  
Macfarlanes LLP  
Maynes Bradford  
McCarter & English  
Milbank Tweed  
Miller Korzenik  
Morgan Lewis  
Nossaman LLP  
O'Melveny & Myers  
Ogletree Deakins  
Pannone Lopes  
Paul Weiss  
Proskauer Rose  
Reed Smith  
Rosenthal Monhait  
Scarinci Hollenbeck  
Schlossberg LLC  
Sedgwick LLP  
Shearman & Sterling  
Simpson Thacher  
Smith Haughey  
Spiegel & McDiarmid  
Squire Patton Boggs  
Stone Loughlin  
Sullivan & Cromwell  
Sutherland Asbill  
Venable LLP  
Weil Gotshal  
Winston & Strawn  
Zeldes Haeggquist

## COMPANIES

American Civil Liberties Union  
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AXA SA  
Altman Weil Inc.  
America Fujikura Ltd.  
American Federation of Labor and Congress of Industrial Organizations  
American Federation of Television and Radio Artists  
American Immigration Lawyers Association  
Association of Corporate Counsel  
Aviva Investors Holdings Ltd.  
CKE Restaurants, Inc.  
Center for American Progress  
Center for Constitutional Rights  
Charter Communications Inc.  
DISH Network Corporation  
Dynegy Inc.  
El Paso Corporation  
Entergy Corporation  
Environmental Defense Fund Inc.  
Exelon Corporation  
IMS Health Inc.  
London Stock Exchange Group PLC  
Lyft Inc.  
NRG Energy Inc.  
National Association of Broadcasters  
National Basketball Association  
National Collegiate Athletic Association  
National Telephone Cooperative Association  
Natural Resources Defense Council  
Northern Mariana Islands Retirement Fund  
Orange County Transportation Authority  
Praxair, Inc.  
Sabre Holdings Corp.  
Sirius XM Radio Inc.  
Talen Energy Corp.  
Tele2 AB  
Texas Mutual Insurance Co.  
Toys "R" Us Inc.  
U.S. Airways Group Inc.  
Uber Technologies Inc.  
Verizon Communications  
Wells Fargo & Co.

## GOVERNMENT AGENCIES

European Commission  
Federal Reserve System  
U.S. Supreme Court  
Securities and Exchange Commission  
U.S. Department of Justice



U.S. Department of Labor  
U.S. Department of Transportation  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Land Management  
California Environmental Protection Agency  
Consumer Financial Protection Bureau  
Equal Employment Opportunity Commission  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Energy Regulatory Commission  
Federal Motor Carrier Safety Administration  
Internal Revenue Service  
Massachusetts Legislature  
Massachusetts Port Authority  
Narragansett Indian Tribe  
New York Attorney General's Office  
North Carolina General Assembly  
Office of the Comptroller of the Currency  
Southern Ute Indian Tribe  
U.S. Attorney's Office  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of the Interior  
U.S. Office Of Special Counsel  
U.S. Patent and Trademark Office  
U.S. Senate

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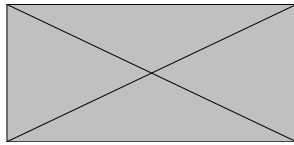
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 6/22/2017 7:32:32 AM  
**Subject:** [Marketing Mail] Justice Sotomayor On The Power Of Dissent



**PUBLIC POLICY.**

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**Thursday, June 22, 2017**

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## **EXCLUSIVE**

### **Feature**

## **Justice Sotomayor On The Power Of Dissent**

Justice Sonia Sotomayor discusses her views on writing dissents and the change she hopes they inspire in the law, in the second of two articles based on an exclusive interview with the 111th justice. [Read more »](#)

## **TOP NEWS**

### **Details Emerge On Senate's ACA Repeal Bill**

A Republican bill in the U.S. Senate to repeal much of the Affordable Care Act would temporarily extend disputed cost-sharing reductions, sharply cut Medicaid and dial back premium assistance for private insurance, according to an outline of the legislation. [Read more »](#)

### **DOJ Names 2 New Antitrust Division Deputies**

The U.S. Department of Justice has named two new deputy assistant attorneys general for the Antitrust Division, the department said Wednesday, further fleshing out the leadership at the enforcer under the administration of President Donald Trump. [Read more »](#)

### **Regulators Outline Ways To Ease Back Bank Rules**

Federal banking regulators say that nearly 10 years after the financial crisis and seven years since the Dodd-Frank Act's passage, the time has come for easing up on the Volcker Rule, making changes to the bank living will process, and rolling back other key regulations. [Read more »](#)

### **Final Punches Traded At High Court In Travel Ban Cases**

The U.S. Supreme Court has fielded final volleys in the cases over President Trump's blocked immigration ban, with Hawaii and an immigrant organization saying Tuesday that a White House directive proves the ban serves no national security purpose while the Trump administration argued Wednesday it shouldn't be penalized for reviewing its vetting procedures. [Read more »](#)

### **Sens. Aim To Make Big PTAB, Court Changes To Aid Patentees**

A bipartisan group of senators unveiled a bill on Wednesday that would make major changes to patent law by overhauling Patent Trial and Appeal Board reviews and infringement standards, saying the new legislation will make it easier and less expensive for patent holders to enforce their patents. [Read more »](#)

### **Wilkinson Barker Partner Named FCC Enforcement Chief**

The Federal Communications Commission has appointed a former Wilkinson Barker

## **LAW FIRMS**

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Curtin & Heefner  
Dechert  
Friedman Kaplan  
Grant & Eisenhofer  
Greenbaum Rowe  
Grossman Roth  
Gupta Wessler  
Hogan Lovells  
Holland & Hart  
Kirk Pinkerton  
Kirkland & Ellis  
Kopelowitz Ostrow  
Lewis Baach  
Lytal Reiter  
McCabe Weisberg  
Motley Rice  
Nabarro LLP  
Olivares  
Olswang LLP  
Pillsbury Winthrop  
RHTLaw  
Saul Ewing  
Sidley Austin  
Simpson Thacher  
Steptoe & Johnson LLP  
Susman Godfrey  
Talley Anthony  
Taylor Wessing  
Weiss Serota  
White & Case

CLV000400

Knauer partner to serve as chief of its enforcement bureau where she will focus on the Communications Act, FCC rules and various licensing terms and conditions, the FCC said Wednesday. [Read more »](#)

## Ballots Not Affected In 21 States Targeted By Russia: DHS

Russia attacked election systems in 21 states as part of efforts to interfere with the 2016 U.S. presidential election, but those hacking attempts did not result in any ballots being changed, a senior U.S. Department of Homeland Security official said Wednesday. [Read more »](#)

### Analysis

## Battle Lines Drawn Over Fla. Gov.'s High Court Maneuver

Florida Gov. Rick Scott says he will appoint three justices to the state Supreme Court on his last day in office, yet the controversial move is already raising constitutional concerns and causing advocacy groups to move into high gear, setting up a legal fight that could shape the future of the court for decades. [Read more »](#)

## BANKING & SECURITIES

### Analysis

## Fed Change Should Make Tests Less Stressful For Most Banks

A change in the way the Federal Reserve will evaluate most banks' ability to withstand a financial shock should make the central bank's stress testing process for this year much less harrowing than in previous years, experts say. [Read more »](#)

## SEC Wants Briefs On CBOE Reviews Of Disciplinary Actions

The U.S. Securities and Exchange Commission asked Tuesday for the Chicago Board Options Exchange Inc. and member clearing firm ABN AMRO Clearing Chicago LLC to weigh in on whether a deferential standard of review should apply in internal appeals of disciplinary actions. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Analysis

## Pa. Justices Create Uncertain New Era For Enviro Reviews

The Pennsylvania Supreme Court's ruling on Tuesday reaffirming constitutional guarantees on the right to clean air and pure water is being hailed as the biggest environmental decision in the state in decades and a harbinger of a new and uncertain era of scrutiny for projects with potential impacts on natural resources. [Read more »](#)

## EPA Hasn't Rid State Permit Boards Of Conflicts, Enviro Say

The Center for Biological Diversity and others said Wednesday the U.S. Environmental Protection Agency isn't guarding against conflicts of interests on Alabama and Mississippi state boards that approve and enforce air pollution permits, as required under the Clean Air Act, telling the agency they intend to sue if it doesn't take action. [Read more »](#)

### Analysis

## Sage Grouse Plan Review Threatens Delicate Compromise

The U.S. Department of the Interior's recent decision to revisit a sprawling sage grouse preservation plan could be the first step toward altering or even dismantling that framework, but attorneys say changes could spark an explosion of litigation and bolster efforts to give the bird Endangered Species Act protection — the very thing the plan was designed to avoid. [Read more »](#)

## Pa. Justices Won't Revive Drilling Rule Challenge

The Pennsylvania Supreme Court on Tuesday affirmed the authority of state environmental regulators to demand that drillers outline potential environmental impacts of proposed oil and gas wells, finding the requirement was not void even though it was part of a controversial law deemed unconstitutional three years ago in

Wilkinson Barker

### COMPANIES

ABN AMRO Bank NV  
ABN AMRO Clearing Chicago  
AT&T Inc.  
Altria Group Inc.  
Amazon.com Inc.  
American Bar Association  
American Civil Liberties Union  
American Federation of State, County and Municipal Employees  
American International Group Inc.  
Barrick Gold Corporation  
Booz Allen Hamilton Inc.  
Bristol-Myers Squibb Company  
CA Inc.  
CBOE Holdings Inc.  
CIT Group Inc.  
Cable-Satellite Public Affairs Network  
Center for Biological Diversity Inc.  
Credit Suisse Group AG  
Environmental Defense Fund Inc.  
Fidelity Investments  
Financial Industry Regulatory Authority Inc.  
Florida Bar Association  
Freeport-McMoRan Inc.  
Genentech Inc.  
Google Inc.  
IMF Bentham Ltd.  
International Association of Defense Counsel  
KBW, Inc.  
LinkedIn Corp.  
MGM Resorts International  
Mexican American Legal Defense and Education Fund  
Mohegan Sun  
Morgan Stanley  
NYSE Holdings LLC  
National Immigration Law Center  
National LGBT Bar Association  
National Retail Federation Inc.  
Netflix Inc.  
New York State Bar Association  
New York State Trial Lawyers Association  
Newmont Mining Corp.  
OneWest Bank Group LLC  
Philadelphia Federal Credit Union  
Sierra Club

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a landmark ruling. [Read more »](#)

### House OKs Faster Energy Co. Tree Clearing On Federal Land

The U.S. House of Representatives passed a bill to expedite tree and brush clearing around power lines on federal land Wednesday, despite concerns that provisions aimed at preventing wildfires would exempt power companies from liability for damages. [Read more »](#)

### Fla. Gov. Given 5 Days To Answer Petition Over Tree Cuts

The Florida Supreme Court on Wednesday gave Gov. Rick Scott until Monday to respond to a challenge to his line-item vetoes of \$37.4 million that lawmakers budgeted to pay out judgments to more than 70,000 households whose healthy residential trees were cut down by the state in an effort to eradicate the plant disease citrus canker. [Read more »](#)

## HEALTH & LIFE SCIENCES

### FDA Says Drug Approval Scheme May Stymie Generics

Some aspects of the drug approval process might have wrongfully blocked generic alternatives from entering the market, an issue that will be undertaken shortly at a public meeting, the U.S. Food and Drug Administration has said. [Read more »](#)

### San Francisco To Ban Sale Of Flavored Tobacco

The San Francisco Board of Supervisors on Tuesday unanimously voted to ban the sale in the city of all flavored tobacco products, including menthol cigarettes, which the bill's sponsors say are disproportionately marketed to minority populations and youth. [Read more »](#)

## MEDIA & ENTERTAINMENT

### 2nd Circ. Affirms Toss Of MGM Suit Over Conn. Casino Law

The Second Circuit declined Wednesday to revive MGM Resorts International's challenge to a Connecticut law that kicked off a process for the tribes behind Foxwoods Resort and Mohegan Sun to open a third casino in the state, finding the allegations that the law put the company at a competitive disadvantage were too abstract. [Read more »](#)

## PRIVACY & CONSUMER PROTECTION

### CFPB Turns Spotlight On Student Loan Forgiveness Program

The Consumer Financial Protection Bureau unveiled updated guidelines Thursday for supervisory examinations of student loan servicers, as the agency aims to curb practices that borrowers have complained are delaying or denying their access to debt relief under the Public Service Loan Forgiveness program. [Read more »](#)

## GOVERNMENT CONTRACTS

### Sen. McCaskill Presses Booz Allen On Unsecured Server

Sen. Claire McCaskill, D-Mo., demanded answers from Booz Allen Hamilton in a letter obtained by Law360 about reports the contractor left sensitive information, including senior engineers' passwords and security credentials, on a public unsecured server. [Read more »](#)

### OIG Says Former GSA Chief Retaliated Against Whistleblower

Former U.S. General Services Administration leader Denise Turner Roth retaliated against an agency employee for raising concerns over alleged legal violations, abuses of authority and mismanagement, a GSA watchdog said Wednesday. [Read](#)

Snap Inc.

Spotify Technology SA

Temple University

The Internet Association

U.S. Chamber of Commerce

UnitedHealth Group Inc.

WSP Holdings Ltd.

Washington Post Co.

Wells Fargo & Co.

Whole Foods Market, Inc.

eBay Inc.

## GOVERNMENT AGENCIES

Antitrust Modernization  
Commission

Bureau of Land Management  
Centers for Medicare & Medicaid  
Services

Congressional Budget Office  
Connecticut Attorney General's  
Office

Consumer Financial Protection  
Bureau

Economics and Statistics  
Administration

European Union

Executive Office of the President

Federal Bureau of Investigation

Federal Communications  
Commission

Federal Deposit Insurance Corp.

Federal Reserve System

Federal Trade Commission

Financial Stability Board

Fish and Wildlife Service

Florida Department of State

Food and Drug Administration

Internal Revenue Service

International Monetary Fund

Mashantucket Pequot Tribal  
Nation

National Security Agency

New York State Senate

Office of the Comptroller of the  
Currency

Pennsylvania Supreme Court  
Securities and Exchange  
Commission

U.S. Attorney's Office

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Education

U.S. Department of Homeland  
Security

[more »](#)

## INTERNATIONAL TRADE

### US Trade Rep. Calls For Reforms To WTO Dispute Settlement

U.S. Trade Representative Robert Lighthizer told the Senate Finance Committee on Wednesday that the World Trade Organization's dispute settlement system is overdue for reform, decrying the frequency with which U.S. policies are put in the crosshairs of other WTO members. [Read more »](#)

### Dems Decry Steel, Aluminum Probes' Lack Of Transparency

Congressional Democrats overseeing international trade issues demanded more transparency from the Trump administration over investigations on national security grounds that could result in major steel and aluminum import restrictions, with the steel probe results expected within 10 days. [Read more »](#)

### WTO Members Angling To Relaunch Green Goods Talks

A collection of influential World Trade Organization members on Tuesday began pushing to rescue the beleaguered negotiations for an agreement to slash tariffs on environmental goods used in clean energy, wastewater treatment and air pollution control. [Read more »](#)

## TAX

### IRS Turns To Congress For Power To Regulate Tax Preparers

Despite a federal judge's recent ruling that the IRS can't regulate tax return preparers, the agency's chief insisted on Wednesday that minimum standards should be set for them and that efforts are underway to convince Congress to grant the IRS the authority it needs. [Read more »](#)

## IMMIGRATION

### Houston Council Votes To Join 'Sanctuary Cities' Lawsuit

The Houston City Council on Wednesday voted to join a growing list of municipalities and nonprofits challenging the constitutionality of a new state law set to go into effect Sept. 1 banning so-called sanctuary cities that opponents have argued will incite racial profiling and undermine due process. [Read more »](#)

### San Francisco Says Sanctuary City Suit Is Valid, Despite Memo

San Francisco hit back on Tuesday at an attempt by the Trump administration to dismiss a suit challenging its "sanctuary cities" executive order, saying that a memorandum released by the attorney general interpreting the order cannot be taken as authoritative. [Read more »](#)

## TELECOMMUNICATIONS

### FCC's Clyburn Defends Net Neutrality At Tech Panel In DC

FCC Commissioner Mignon Clyburn on Wednesday told an audience at a panel discussion in Washington, D.C., hosted by New America's Open Technology Institute and the Internet Association that net neutrality rules not only protect consumers, but promote investment and innovation as well. [Read more »](#)

### 11th Circ. Revives ACLU Action Seeking Stingray Records

The Eleventh Circuit held in a decision published Tuesday that a lower court wrongly rejected the American Civil Liberties Union of Florida's discovery requests relating to whether a Sarasota law-enforcement officer was acting as a state or federal official when seeking authorization for the use of cellphone-tracking devices called

U.S. Department of Justice  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Forest Service  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Office Of Special Counsel  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court  
World Trade Organization

Stingrays. [Read more »](#)

## NEW YORK

### **NY Senate Confirms 1st Openly LGBT Judge To High Court**

The New York State Senate voted Wednesday to confirm Associate Judge Paul G. Feinman to the New York Court of Appeals, making him the first openly LGBT judge to sit on the bench of the Empire State's highest court. [Read more »](#)

## NEW JERSEY

### **Greenbaum Rowe Partner, Prosecutors Up For NJ Judgeships**

New Jersey Gov. Chris Christie has nominated a partner with Greenbaum Rowe Smith & Davis LLP, three assistant county prosecutors, a public defender, a surrogate judge and a matrimonial attorney for seats on the Superior Court bench. [Read more »](#)

## PENNSYLVANIA

### **Feds Flag Philly DA's Messy Finances In Corruption Trial**

Federal prosecutors shined a spotlight on Philadelphia District Attorney Seth Williams' financial woes on the second day of his corruption trial Wednesday, as jurors learned how he struggled to pay bills even when earning almost \$200,000 annually. [Read more »](#)

## EXPERT ANALYSIS

### **A Bipartisan Call For STRONGER Patents**

The American patent system has been weakened by recent court decisions and unintended consequences of the post-issuance proceedings at the U.S. Patent and Trademark Office. That is why I introduced the STRONGER Patents Act on Wednesday, says Sen. Chris Coons, D-Del. [Read more »](#)

### **The Future Of The 1933 Act**

The U.S. Securities and Exchange Commission has brought about significant changes to the procedures contemplated by the original Securities Act of 1933, but it is surprising how little the overall scheme has changed. On the other hand, conditions in the securities markets have changed dramatically since 1933, says Joseph McLaughlin of Sidley Austin LLP. [Read more »](#)

#### **Weekly Column**

### **Innovating For Wise Juries: Juror-Posed Questions**

One way to combat juror confusion and boredom is to allow jurors to ask witnesses questions. No federal evidentiary or court rule prohibits it, and every federal circuit court to address the practice has held it permissible, say Stephen Susman, Richard Lorren Jolly and Dr. Roy Futterman of the NYU School of Law Civil Jury Project. [Read more »](#)

## LEGAL INDUSTRY

#### **Analysis**

### **Critics Pushing Back On 3rd-Party Funding Disclosure Rule**

Litigators, legal industry experts and financiers are reacting with skepticism to the U.S. Chamber of Commerce's renewed push for a change to civil procedure rules mandating the disclosure of third-party litigation funding arrangements, saying the proposal is dubiously argued, hasty and unnecessary and could lead to longer and costlier litigations. [Read more »](#)

## CMS, Taylor Wessing Grow UK Revenue In 2016

Two international law firms put out their U.K. annual revenue numbers this week, with CMS growing its intake by 4.1 percent, clocking in at €1.05 billion (\$1.2 billion), and Taylor Wessing LLP booking a 1.8 percent boost to bring in £128.9 million (\$163.5 million) in its 2016-2017 fiscal year. [Read more »](#)

## Plaintiffs Bar Perspective: Grant & Eisenhofer's Michael Barry

Being a plaintiffs lawyer requires you to be entrepreneurial in addition to just being a good lawyer. You need to find and develop the cases, protect your clients' interests, and always look ahead, says Michael Barry of Grant & Eisenhofer PA. [Read more »](#)

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Talley Anthony  
Taylor Wessing  
Weiss Serota  
White & Case  
Wilkinson Barker

#### COMPANIES

American Civil Liberties Union  
Center for Biological Diversity Inc.  
LinkedIn Corp.  
U.S. Chamber of Commerce  
ABN AMRO Bank NV  
ABN AMRO Clearing Chicago  
AT&T Inc.  
Altria Group Inc.  
Amazon.com Inc.  
American Bar Association  
American Federation of State, County and Municipal Employees  
American International Group Inc.  
Barrick Gold Corporation  
Booz Allen Hamilton Inc.  
Bristol-Myers Squibb Company  
CA Inc.  
CBOE Holdings Inc.  
CIT Group Inc.  
Cable-Satellite Public Affairs Network  
Credit Suisse Group AG  
Environmental Defense Fund Inc.  
Fidelity Investments  
Financial Industry Regulatory Authority Inc.  
Florida Bar Association  
Freeport-McMoRan Inc.  
Genentech Inc.  
Google Inc.  
IMF Bentham Ltd.  
International Association of Defense Counsel  
KBW, Inc.  
MGM Resorts International  
Mexican American Legal Defense and Education Fund  
Mohegan Sun  
Morgan Stanley  
NYSE Holdings LLC  
National Immigration Law Center  
National LGBT Bar Association  
National Retail Federation Inc.  
Netflix Inc.  
New York State Bar Association  
New York State Trial Lawyers Association  
Newmont Mining Corp.  
OneWest Bank Group LLC  
Philadelphia Federal Credit Union

Sierra Club  
Snap Inc.  
Spotify Technology SA  
Temple University  
The Internet Association  
UnitedHealth Group Inc.  
WSP Holdings Ltd.  
Washington Post Co.  
Wells Fargo & Co.  
Whole Foods Market, Inc.  
eBay Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
Securities and Exchange Commission  
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European Union  
Consumer Financial Protection Bureau  
Executive Office of the President  
Federal Communications Commission  
Federal Reserve System  
Food and Drug Administration  
Pennsylvania Supreme Court  
U.S. Department of Homeland Security  
U.S. General Services Administration  
U.S. House of Representatives  
World Trade Organization  
Antitrust Modernization Commission  
Bureau of Land Management  
Centers for Medicare & Medicaid Services  
Congressional Budget Office  
Connecticut Attorney General's Office  
Economics and Statistics Administration  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Trade Commission  
Financial Stability Board  
Fish and Wildlife Service  
Florida Department of State  
Internal Revenue Service  
International Monetary Fund  
Mashantucket Pequot Tribal Nation  
National Security Agency  
New York State Senate  
Office of the Comptroller of the Currency  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Education  
U.S. Department of the Interior  
U.S. Environmental Protection Agency



U.S. Forest Service  
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Banking Exchange  
**Sent:** Tue 4/23/2019 9:00:35 AM  
**Subject:** The Need for Whistleblowers in AML Enforcement

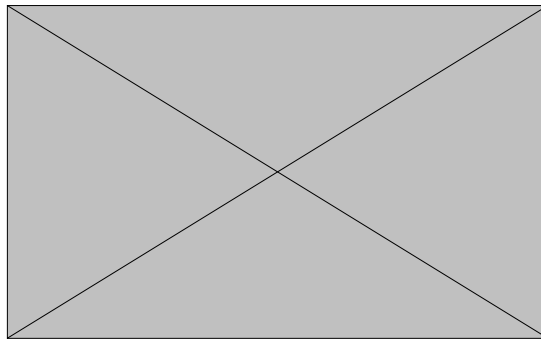
**EXTERNAL EMAIL**

## The AI Disconnect in the Financial Services Industry

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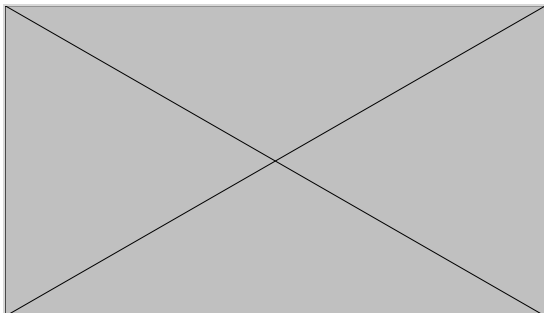


## The Need for Whistleblowers in AML Enforcement

Even with ample resources, authorities are critically disadvantaged without a robust whistleblower program. The blockbuster Standard Chartered settlement announced last week provided us more proof that we need an anti-money laundering (AML) whistleblower program. [Read more...](#)

## The AI Disconnect in the Financial Services Industry

Artificial intelligence (AI) has seemingly permeated our world. Everything from cars, to phones, to music streaming services claims to include the technology, with more applications promising new AI capabilities almost daily. [Read more...](#)

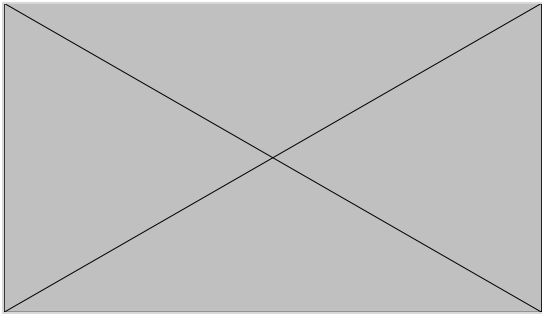


## How Creativity Plays a Role in Digital Transformation

The role of the CIO is ever-evolving, and needs to strike the right balance between operational excellence

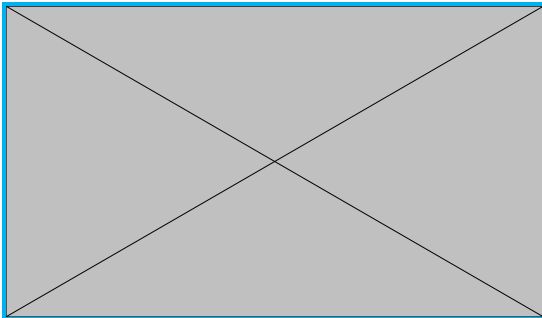
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and business innovation. A CIO needs to be able to simplify and upgrade networks and systems while ensuring they are secure, and simultaneously take on an active role in creative digital transformation to drive revenue and customer acquisition. [Read more...](#)



## New Compliance Training Product Developed For Financial Service Leaders

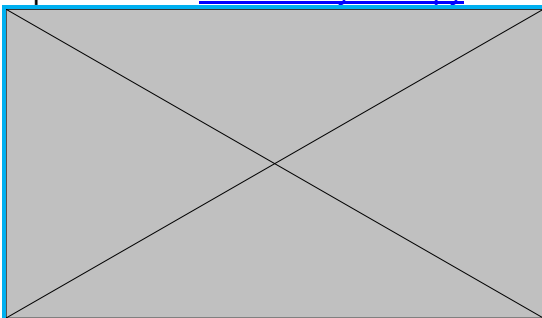
Enables key decision makers to effectively manage organizational risk and streamline annual planning. One of the challenges for the banking industry is to keep on top of compliance issues, and part of that is to make crucial decisions in how to train executives focused on Compliance and Fraud Prevention. [Read more...](#)



BOTTOMLINE WHITE PAPER

## 8 Ways the Digital Transformation is Changing Banking

Digital disruption is nothing new — the banking industry has been talking about it for years. Still, some financial institutions are dragging their feet, not preparing for the change that's happening at every level in the banking industry. New technology and new competition means heightened customer expectations... [Download your copy](#)



ONESPAN WHITE PAPER

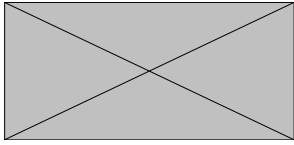
## Agreement Automation Best Practices

Aite Group predicts that by 2020, over 45% of checking and savings account applications will be submitted through online and mobile channels. [Read more...](#)

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United States

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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 6/25/2018 7:27:10 AM  
**Subject:** Trump 'Tweetpedoeo' Immigration Bill After House Punts



**PUBLIC POLICY.**

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**Monday, June 25, 2018**

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## TOP NEWS

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### Trump 'Tweetpedoeo' Immigration Bill After House Punts

As the birdsong of President Donald Trump's Twitter feed continued Friday morning, it kept up a familiar refrain for many Republicans; saying something — this time that "tweetpedoeo" a delayed immigration bill, in the words of one legislator — that makes it more difficult to get legislation passed. [Read more »](#)

#### Analysis

### Trump's Immigration Executive Order Puts Flores In Spotlight

The fate of President Donald Trump's executive order aimed at reversing the policy of separating immigrant families in detention rests in the hands of the same California federal judge who 20 years ago presided over the Flores agreement, which mandated that immigrant children cannot be held for longer than 20 days in adult detention facilities. [Read more »](#)

#### Analysis

### High Court's Lucia Ruling Opens ALJs To Political Influence

The U.S. Supreme Court's finding that U.S. Securities and Exchange Commission administrative law judges need to be appointed by the president or the head of the agency potentially leaves the judges open to heightened political influence, legal experts said Friday. [Read more »](#)

#### Feature

### In His Own Words: How Texas Judge Is Mulling ACA Case

A once-obscure Texas federal judge who rocketed to prominence after being handpicked to hear lawsuits against the Obama administration is now overseeing his biggest case yet: an existential challenge to the Affordable Care Act. In an interview with Law360, U.S. District Judge Reed O'Connor explained how he's approaching the momentous legal battle. [Read more »](#)

#### Feature

### The Top Benefits Cases Of 2018: Midyear Report

The Fifth Circuit invalidated the U.S. Department of Labor's fiduciary rule, the defense bar notched gains in its quest to defeat two waves of Employee Retirement Income Security Act class actions, and the U.S. Supreme Court ordered the Sixth Circuit to stop relying on a worker-friendly presumption related to pension vesting. Here's a look at the most significant benefits rulings of the first half of 2018. [Read more »](#)

## ENERGY & ENVIRONMENTAL

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#### Analysis

### Biggest Enviro Law Rulings Of 2018: Midyear Report

Federal courts in the first half of 2018 issued several rulings that will have major repercussions in the environmental law arena, from a U.S. Supreme Court decision clarifying which courts should hear litigation over Clean Water Act jurisdictional

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Cassidy Levy  
Choate  
Clark Hill  
Constantine Cannon  
Cooley  
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Crowe & Dunlevy  
Curtin & Heefner  
DLA Piper  
Davis Malm  
Davis Wright Tremaine  
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Duane Morris  
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Earthjustice  
Einhorn Harris  
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Eversheds Sutherland  
Fenwick & West

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issues to two circuit court opinions clarifying that groundwater can be subject to Clean Water Act permitting requirements. Here, Law360 looks at some of the biggest environmental law rulings thus far in 2018. [Read more »](#)

#### Analysis

### Biggest Energy Regulatory Moves Of 2018: Midyear Report

It's been a half-year of regulatory upheaval for the U.S. energy industry, from the Federal Energy Regulatory Commission crafting major electricity and pipeline policy changes to the Environmental Protection Agency ramping up its rollback of Obama-era energy and environmental rules. Here's a list of significant energy-related regulatory moves from the first half of 2018. [Read more »](#)

#### Feature

### 1 Year On, Pa. Judges Grapple With Revamped Enviro Rights

It's been one year since the Pennsylvania Supreme Court affirmed that the public's right to clean air and pure water was on equal footing with more fundamental concepts like the right to free speech, and experts say that judges are still grappling with how to apply the idea in high-stakes environmental litigation. [Read more »](#)

### NJ Utility Regulator Rejects \$111M Transmission Project

The New Jersey Board of Public Utilities on Friday unanimously rejected a FirstEnergy Corp. unit's petition to construct a \$111 million, 10-mile electric transmission line in Monmouth County, siding with a state administrative law judge's determination that the company hasn't proven the project is necessary to the public. [Read more »](#)

### EPA Floats TSCA Guidance On Confidentiality, Animal Testing

The U.S. Environmental Protection Agency on Friday issued new Toxic Substances Control Act policies on animal testing, confidential business information and mercury reporting requirements, meeting deadlines set by Congress in 2016. [Read more »](#)

### Minn. Power Grid Law Withstands Constitutional Challenge

A Minnesota federal judge threw out LSP Transmission Holdings' challenge to a state law that provided existing utilities in Minnesota the right of first refusal to build and operate new transmission lines, deciding that the law did not violate the Constitution's dormant commerce clause. [Read more »](#)

## HEALTH & LIFE SCIENCES

### House Passes Sweeping Opioid Treatment, Medicare Bill

The U.S. House of Representatives passed a sweeping anti-opioid abuse bill Friday with broad bipartisan support, rolling together dozens of other pieces of legislation passed over the last two weeks. [Read more »](#)

## MEDIA & ENTERTAINMENT

### RI Becomes The Latest State To Legalize Sports Betting

Rhode Island's governor signed into a law Friday a budget that clears the way for in-person sports gambling at two casinos, making the state the latest early adopter of a practice legalized by the U.S. Supreme Court in May. [Read more »](#)

## REAL ESTATE

### 5th Circ. Musn't Stay La. Real Estate Board Case, FTC Says

The Federal Trade Commission urged the Fifth Circuit not to pause an agency administrative trial challenging Louisiana Real Estate Appraisers Board regulations that control appraisal fees, arguing Friday that the appeals court has no jurisdiction over the board's immunity from federal antitrust laws, absent a "final" order. [Read more »](#)

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FordHarrison  
Fragomen Del Rey  
Fried Frank  
Frost Brown Todd  
Gibbons PC  
Gibson Dunn  
Greenspoon Marder  
Haley Guiliano  
Hanson Bridgett  
Haynes and Boone  
Herbert Smith Freehills  
Hogan Lovells  
Hoge Fenton  
Holifield Janich  
Holland & Knight  
Hunton Andrews Kurth  
Jones Day  
K&L Gates  
King & Spalding  
Kirkland & Ellis  
Latham & Watkins  
Lawyers' Committee for Civil Rights  
Littler Mendelson  
Lockridge Grindal  
Mayer Brown  
Maynes Bradford  
McGuireWoods  
Meyer Darragh  
Milbank Tweed  
Miller & Chevalier  
Morgan Lewis  
Morrison & Foerster  
O'Melveny & Myers  
Ogletree Deakins  
Orrick Herrington  
Paul Hastings  
Pearl Law Group  
Peckar & Abramson  
Perkins Coie  
Pillsbury Winthrop  
Proskauer Rose  
Quinn Emanuel  
Raines Feldman  
Riley Safer  
Saul Ewing  
Seyfarth Shaw  
Sidley Austin  
Skadden  
Snell & Wilmer  
Stander Reubens

## EMPLOYMENT

### NJ Trooper Can't Revive Whistleblower Suit Over Porn Report

A New Jersey state appeals court Friday refused to revive a state trooper's whistleblower suit alleging she was transferred to an unpopular unit after reporting a superior's pornography use on the job, reasoning that the new assignment was actually a promotion. [Read more »](#)

## GOVERNMENT CONTRACTS

### Suit Alleging Race Bias In Boston PD Drug Tests Nears Verdict

A Massachusetts federal judge spent several hours in a Boston courtroom Friday discussing racial identity, implicit bias and the legal ramifications of drug-testing employees in a hearing that concluded the evidentiary portion of a long-running discrimination case against the Boston Police Department over false-positive results disproportionately affecting black people. [Read more »](#)

## INTERNATIONAL TRADE

### ITC Scraps Commerce's Proposed Resin Tariffs On India

The U.S. International Trade Commission said Friday that subsidized Indian imports of a resin product used for non-stick pans were not harming domestic industries, tossing the U.S. Department of Commerce's proposed countervailing duty of 3.6 percent. [Read more »](#)

## TAX

### E-Cigs, Liquids Subject To Tobacco Tax, Pa. Court Rules

A Pennsylvania appeals court ruled Friday that e-cigarettes and e-liquids are subject to the state Tobacco Products Tax Act's 40 percent tax on tobacco products, regardless of whether the liquids have nicotine derived from tobacco. [Read more »](#)

### Okla. Justices Nix Petition Challenging Teachers' Pay Tax

Oklahoma's Supreme Court on Friday tossed a referendum petition challenging a new law that raised taxes on oil, cigarettes and gasoline that will fund pay raises for teachers, saying that the summary of the petition was misleading and flawed. [Read more »](#)

### NJ Assembly Approves Bill Protecting Tax Agreement With Pa.

The New Jersey Assembly has approved a bill that would prevent the state's governor from unilaterally withdrawing from an income tax agreement with Pennsylvania or any other state, spurred by a threat from the state's former governor. [Read more »](#)

## TRANSPORTATION

### Feature

### Privately Backed Rail And Transit Projects To Watch

Government officials and private developers are pushing ahead with mass transit modernization projects even as infrastructure investment budgets tighten and the political tug-of-war over rural versus urban transportation needs intensifies, industry observers say. [Read more »](#)

## IMMIGRATION

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Vinson & Elkins  
Ward & Glass  
Weil Gotshal  
White & Case  
Williams & Connolly  
WilmerHale  
Wilson Sonsini  
Windels Marx  
Winston & Strawn

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Albertsons Companies LLC  
All Aboard Florida - Operations LLC  
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Cable News Network Inc.  
California Independent System Operator  
Chemours Co.  
China Agritech Inc.  
Defenders of Wildlife  
Delaware Riverkeeper Network  
Deutsche Bank AG  
Dominion Energy Inc.  
Enbridge  
Faculty Athletics Representatives Association  
FirstEnergy Corp.  
Florida East Coast Industries LLC  
Fortress Investment Group LLC  
Franklin Resources Inc.  
General Motors  
Google Inc.  
HCP, Inc.  
Home Box Office Inc.  
International Game Technology PLC  
Ion Geophysical Corporation  
Kinder Morgan  
Major Lindsey & Africa  
Micron Technology Inc.  
Mitsubishi UFJ Financial Group Inc.  
NFL Enterprises LLC  
NJ Transit Corp.

## 17 AGs Join Fight Against Trump's Move To Cancel TPS

More than a dozen state attorneys general on Friday voiced their support for a lawsuit challenging the Trump administration's recent decision to cancel temporary protected status for immigrants from El Salvador, Haiti and Honduras, urging the district court to hear the immigrants' claims. [Read more »](#)

## Gov't Seeks To Nix Immigrants' Protected Status Class Action

The Trump administration did not create a new rule by ending temporary protected status for immigrants whose home countries are in crisis, the U.S. Department of Justice told a California federal judge Friday, arguing that meant the reversal couldn't come under judicial review and a putative class action challenging the decision should be nixed. [Read more »](#)

## NATIVE AMERICAN

### New Native Americans Head OK'd By Senate

President Donald Trump's choice to head the Administration for Native Americans at the U.S. Department of Health and Human Services has been cleared by the full U.S. Senate, the chair of the U.S. Senate Committee on Indian Affairs has announced. [Read more »](#)

### Navajo Man Sues Utah, County Officials Over Election DQ

A Navajo Nation member has hit Utah and San Juan County officials with a federal lawsuit alleging that they denied him the ability to run as a candidate in an upcoming county commission election, contesting a decision to deny him a place on the ballot on residency grounds. [Read more »](#)

## EXPERT ANALYSIS

### Cheers To 80 Years Of The Food, Drug, And Cosmetic Act

Eighty years ago, President Franklin D. Roosevelt signed the Federal Food, Drug, and Cosmetic Act. In recognition of this anniversary, attorneys at Epstein Becker Green review how the act came to be, how it has evolved, and how the U.S. Food and Drug Administration is enforcing its authority under the act to address the demands of rapidly evolving technology. [Read more »](#)

### The Wayfair Brief: What You Should Know

Alston & Bird LLP submitted an amicus brief on behalf of Americans for Tax Reform in *South Dakota v. Wayfair*. Two of the firm's attorneys, Clark Calhoun and Andrew Yates, analyze the fine points of the U.S. Supreme Court's majority and dissenting opinions in this case and offer recommendations for states and online retailers going forward. [Read more »](#)

### English-Only Rules In Today's Multicultural Workplace

Several recent events — including a lawsuit against grocery chain Albertsons filed by the U.S. Equal Employment Opportunity Commission — highlight that many employers may not be well-acquainted with the nuances of the law regarding English-only rules, despite the high potential for such sensitive issues to create problems, says Alex Lee of Einhorn Harris Ascher Barbarito & Frost PC. [Read more »](#)

### New Steel Measures Are A Test For ITC Sunset Reviews

The U.S. government regularly conducts "sunset reviews" to determine whether an existing anti-dumping or countervailing duty order should be revoked. The agency that reviews these orders tends to lean heavily in favor of keeping the duties — but the recently imposed steel tariffs make continuation of these other trade remedies harder to justify, says Jay Campbell of White & Case LLP. [Read more »](#)

### Energy Storage: Are We There Yet?

2018 has proven to be a turning point for energy storage in the U.S. Affordable,

National Collegiate Athletic Association

National Congress of American Indians

New York University

NextEra Energy Inc.

PHH Corporation

PepsiCo Inc.

Philip Morris USA Inc.

Planned Parenthood Federation

Quill Corp.

R.J. Reynolds Tobacco Co. Inc.

Rex Energy Corp.

SAS Institute

Salt River Project

San Diego Gas & Electric Co.

Schlumberger Limited

Sierra Club

Solar Energy Industries Association

Southern California Edison

Sunoco LP

The Capital Group Companies Inc.

The DIRECTV Group, Inc.

The Walt Disney Co.

Time Warner Inc.

Twitter Inc.

Uber Technologies Inc.

United Auto Workers

Wayfair LLC

Yale University

## GOVERNMENT AGENCIES

Army Corps of Engineers

California Public Utilities Commission

Chicago Department of Aviation

Consumer Financial Protection Bureau

Department of Commerce

Energy Information Administration

Equal Employment Opportunity Commission

European Union

Executive Office of the President

Federal Bureau of Investigation

Federal Energy Regulatory Commission

Federal Trade Commission

Fish and Wildlife Service

Flandreau Santee Sioux Tribe

Food and Drug Administration



reliable batteries, ambitious state capacity goals and a major policy shift from the Federal Energy Regulatory Commission have created an ideal environment for energy storage to grow at a fast rate, say Paul Kraske and Zahir Rahman of Skadden Arps Slate Meagher & Flom LLP. [Read more »](#)

## What New FWS Take Guidance Means For Permit Applicants

New guidance from the U.S. Fish and Wildlife Service clarifies when habitat modification triggers an incidental take permit, who decides whether a permit is needed and who takes the risk, creating significant implications for private project proponents considering whether to seek an incidental take permit and prepare a habitat conservation plan, say attorneys with Pillsbury Winthrop Shaw Pittman LLP. [Read more »](#)

### Roundup

## FLSA Turns 80

Originally signed by President Franklin D. Roosevelt on June 25, 1938, the Fair Labor Standards Act turns 80 this year. Here, attorneys most familiar with the statute provide different perspectives on the law's impact and development over the course of its history. [Read more »](#)

## LEGAL INDUSTRY

## The Best Firms For Women And Minority Attorneys

It's the rare law firm that is consistently ahead of the pack on hiring and promoting women and minorities, according to Law360's annual headcount survey. Here are the firms leading the way in building a more diverse attorney workforce. [Read more »](#)

## BigLaw Bias & Harassment: Lawyers In Their Own Words

As part of our recent Satisfaction Survey, we asked our readers whether they'd faced harassment or discrimination based on race or sex, and many of the responses were jarring. Here's what they had to say. [Read more »](#)

## How Highly Successful Attorneys Prepare For A Day In Court

Preparing for trials or oral arguments can be the busiest and most stressful times of attorneys' careers. Here, some of the industry's most successful litigators share how they get ready to face a judge or jury. [Read more »](#)

## Latham, Gibson Dunn Among Latest Firms To Raise Salaries

At least seven law firms ended the week by sharing their plans to raise associate base salaries to match the top-of-the-market pay scale recently set by Cravath Swaine & Moore LLP. [Read more »](#)

### Feature

## GC Cheat Sheet: The Hottest Corporate News Of The Week

The Trump administration suggested combining the U.S. Department of Labor and the U.S. Department of Education as part of a broader reorganization of federal agencies, a judge deemed the Consumer Financial Protection Bureau as unlawfully structured and the Federal Trade Commission's newly minted chairman said the agency will conduct hearings to refocus its enforcement mission. [Read more »](#)

### Podcast

## Law360's Pro Say: Trump's Family Separation Scandal

Immigrant families have been separated by the thousands along the Southern border under a Trump administration zero-tolerance policy. On this week's Pro Say podcast we discuss the complex legal dynamics at play, as well as the executive order signed by President Donald Trump that may not provide the relief it promises. [Read more »](#)

## In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

[Indian Health Service](#)

[International Trade Commission](#)

[Los Angeles County Metropolitan Transportation Authority](#)

[NAFTA](#)

[National Highway Traffic Safety Administration](#)

[National Railroad Passenger Corporation](#)

[Navajo Nation](#)

[New Jersey Board of Public Utilities](#)

[Oklahoma Supreme Court](#)

[Pennsylvania Department of Revenue](#)

[Pennsylvania Supreme Court Securities and Exchange Commission](#)

[Surface Transportation Board](#)

[U.S. Customs and Border Protection](#)

[U.S. Department of Education](#)

[U.S. Department of Energy](#)

[U.S. Department of Health and Human Services](#)

[U.S. Department of Homeland Security](#)

[U.S. Department of Justice](#)

[U.S. Department of Labor](#)

[U.S. Department of Transportation](#)

[U.S. Department of the Interior](#)

[U.S. Environmental Protection Agency](#)

[U.S. House Committee on Energy and Commerce](#)

[U.S. House of Representatives](#)

[U.S. Immigration and Customs Enforcement](#)

[U.S. Postal Service](#)

[U.S. Senate](#)

[U.S. Senate Committee on Indian Affairs](#)

[U.S. Supreme Court](#)

[World Trade Organization](#)

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### **Director**

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New York, New York

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### **LAW FIRMS**

Gibson Dunn  
Morrison & Foerster  
White & Case  
Akin Gump  
Ballard Spahr  
Hogan Lovells  
Latham & Watkins  
Lawyers' Committee for Civil Rights  
Mayer Brown  
Morgan Lewis  
O'Melveny & Myers  
Orrick Herrington  
Sidley Austin  
Skadden  
Vinson & Elkins  
WilmerHale  
Alston & Bird  
Anthony Kennedy PC  
Arent Fox  
Babst Calland  
Berry Appleman  
Best Best & Krieger  
Bevan Mosca  
Beveridge & Diamond  
Boies Schiller  
Bowman and Brooke  
Brewer, Attorneys & Counselors  
Carothers DiSante  
Cassidy Levy  
Choate  
Clark Hill  
Constantine Cannon  
Cooley  
Covington & Burling  
Cravath Swaine  
Crowe & Dunlevy  
Curtin & Heefner  
DLA Piper  
Davis Malm  
Davis Wright Tremaine  
Dechert  
Duane Morris  
Dykema Gossett PLLC  
Earthjustice

CLV000417

Einhorn Harris  
Epstein Becker Green  
Eversheds Sutherland  
Fenwick & West  
Finnegan  
FordHarrison  
Fragomen Del Rey  
Fried Frank  
Frost Brown Todd  
Gibbons PC  
Greenspoon Marder  
Haley Guiliano  
Hanson Bridgett  
Haynes and Boone  
Herbert Smith Freehills  
Hoge Fenton  
Holifield Janich  
Holland & Knight  
Hunton Andrews Kurth  
Jones Day  
K&L Gates  
King & Spalding  
Kirkland & Ellis  
Littler Mendelson  
Lockridge Grindal  
Maynes Bradford  
McGuireWoods  
Meyer Darragh  
Milbank Tweed  
Miller & Chevalier  
Ogletree Deakins  
Paul Hastings  
Pearl Law Group  
Peckar & Abramson  
Perkins Coie  
Pillsbury Winthrop  
Proskauer Rose  
Quinn Emanuel  
Raines Feldman  
Riley Safer  
Saul Ewing  
Seyfarth Shaw  
Snell & Wilmer  
Stander Reubens  
Stroock & Stroock  
Van Ness Feldman  
Ward & Glass  
Weil Gotshal  
Williams & Connolly  
Wilson Sonsini  
Windels Marx  
Winston & Strawn

## COMPANIES

American Bar Association  
American Civil Liberties Union  
Schlumberger Limited  
Twitter Inc.  
21st Century Fox Inc.  
AARP Inc.  
AT&T Inc.  
Albertsons Companies LLC  
All Aboard Florida - Operations LLC  
BASF SE  
Bristol-Myers Squibb Co.  
Cable News Network Inc.  
California Independent System Operator  
Chemours Co.  
China Agritech Inc.  
Defenders of Wildlife  
Delaware Riverkeeper Network  
Deutsche Bank AG  
Dominion Energy Inc.  
Enbridge  
Faculty Athletics Representatives Association  
FirstEnergy Corp.  
Florida East Coast Industries LLC  
Fortress Investment Group LLC  
Franklin Resources Inc.  
General Motors  
Google Inc.  
HCP, Inc.  
Home Box Office Inc.  
International Game Technology PLC  
Ion Geophysical Corporation  
Kinder Morgan  
Major Lindsey & Africa  
Micron Technology Inc.  
Mitsubishi UFJ Financial Group Inc.  
NFL Enterprises LLC  
NJ Transit Corp.  
National Collegiate Athletic Association  
National Congress of American Indians  
New York University  
NextEra Energy Inc.  
PHH Corporation  
PepsiCo Inc.  
Philip Morris USA Inc.  
Planned Parenthood Federation  
Quill Corp.  
R.J. Reynolds Tobacco Co. Inc.  
Rex Energy Corp.  
SAS Institute  
Salt River Project

San Diego Gas & Electric Co.  
Sierra Club  
Solar Energy Industries Association  
Southern California Edison  
Sunoco LP  
The Capital Group Companies Inc.  
The DIRECTV Group, Inc.  
The Walt Disney Co.  
Time Warner Inc.  
Uber Technologies Inc.  
United Auto Workers  
Wayfair LLC  
Yale University

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Energy Regulatory Commission  
Food and Drug Administration  
Securities and Exchange Commission  
U.S. Department of Homeland Security  
Department of Commerce  
Equal Employment Opportunity Commission  
Federal Trade Commission  
International Trade Commission  
U.S. Department of Energy  
U.S. Department of Labor  
U.S. Environmental Protection Agency  
Army Corps of Engineers  
California Public Utilities Commission  
Chicago Department of Aviation  
Consumer Financial Protection Bureau  
Energy Information Administration  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Fish and Wildlife Service  
Flandreau Santee Sioux Tribe  
Indian Health Service  
Los Angeles County Metropolitan Transportation Authority  
NAFTA  
National Highway Traffic Safety Administration  
National Railroad Passenger Corporation  
Navajo Nation  
New Jersey Board of Public Utilities  
Oklahoma Supreme Court  
Pennsylvania Department of Revenue  
Pennsylvania Supreme Court  
Surface Transportation Board  
U.S. Customs and Border Protection  
U.S. Department of Education

U.S. Department of Health and Human Services  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. House Committee on Energy and Commerce  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Postal Service  
U.S. Senate  
U.S. Senate Committee on Indian Affairs  
World Trade Organization

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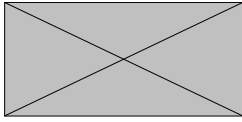
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CLV000421

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 9/14/2016 8:47:01 AM  
**Subject:** [Marketing Mail] Dodd-Frank Repeal Bill Passes Out Of House Committee



**PUBLIC POLICY**

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**Wednesday, September 14, 2016**

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## **TOP NEWS**

### **Dodd-Frank Repeal Bill Passes Out Of House Committee**

A measure aimed at repealing the Dodd-Frank Act was approved Tuesday by the House Financial Services Committee in a vote mostly along party lines that sends the bill to the House floor for a full vote.

### **NY Cybersecurity Rules Could Push Other Regulators**

Banks, insurers and other financial institutions operating in New York state will have to take strong measures to protect against data breaches and other cyberattacks under first-of-their-kind rules proposed Tuesday, and experts say that other states and even the federal government may follow New York's lead.

### **House Rep. Tries To Force IRS Chief Impeachment Vote**

Conservative House Republicans will try to force a vote this week on their attempts to oust IRS Commissioner John Koskinen, introducing a four-count impeachment resolution Tuesday over his alleged noncompliance with congressional investigations into IRS targeting of conservative groups.

### **9th Circ. Nixes Part Of Ariz. Air Pollution Plan**

A Ninth Circuit panel on Monday partially rejected the U.S. Environmental Protection Agency's approval of Arizona's plan for airborne particulate matter around Maricopa County, saying the EPA needed to further the part of the plan addressing contingency measures.

### **House Votes To Lower ACA Out-Of-Pocket Tax Deductibility**

House Republicans, with some Democratic support, voted on Tuesday to lower the Affordable Care Act threshold for claiming out-of-pocket medical expenses on taxes, claiming that the measure would provide relief to millions of Americans.

### **Restaurant Groups Urge High Court To Review Tip Pool Rule**

A handful of restaurant associations recently urged the U.S. Supreme Court to take up an appeal of a Ninth Circuit ruling that the U.S. Department of Labor can stop employers from tip pooling, saying that the rule hurts minority workers and that a circuit split on the agency's rulemaking puts restaurants in a costly bind.

### **NCAA Pulls Events From North Carolina Over Bathroom Law**

The NCAA announced Monday that it is pulling several marquee events from North Carolina, including the men's college basketball tournament, citing "cumulative actions taken by the state concerning civil rights protections" such as the state's controversial transgender bathroom law.

### **Swiss Supreme Court OKs Sharing Of Bank Data With Dutch**

Switzerland's highest court overturned a lower court's decision barring the country's tax authorities from providing banking information on Dutch UBS AG clients to the Netherlands, saying Monday that a request from Dutch tax authorities is not prohibited by a treaty between the two countries.

## **LAW FIRMS**

Arent Fox  
Arnold & Porter  
Ashurst LLP  
Bancroft PLLC  
Beck Redden  
Buchalter Nemer  
BuckleySandler  
Cahill Gordon  
Chadbourne & Parke  
Consovoy McCarthy  
Cravath Swaine  
Davis Polk  
Earthjustice  
Farr Law Firm  
Gibbs Houston  
Gibson Dunn  
Greenbaum Rowe  
Haynes and Boone  
Hunton & Williams  
Jackson Lewis  
Jones Day  
Katten Muchin  
Kellogg Huber  
King & Spalding  
Kirkland & Ellis  
Klasko Immigration Law Partners  
Latham & Watkins  
Marshall Gerstein  
McDermott Will  
McDonald McCann  
Morgan Lewis  
Pillsbury Winthrop  
Proskauer Rose  
Ropes & Gray  
Sanford Heisler  
Shook Hardy  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Sterne Kessler

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## ANALYSIS

### Reviewing Clinton's Immigration Positions As Election Nears

Although Hillary Clinton hasn't been too vocal on business immigration issues such as the H-1B visa program this election cycle, it's worth noting the Democratic nominee has staked out some ambitious positions in other areas, including going beyond President Barack Obama's executive actions on deportation. Here, Law360 provides an overview of where the former secretary of state stands on the hot-button issue.

### The AIA At 5: New Rules Bring New Patent Filing Strategies

The enactment of the America Invents Act five years ago this week fundamentally altered filing rules for patent applications, but those changes have in many ways have had less of an effect on patent prosecution than the law's new proceedings for challenging patents, attorneys say.

### FCC Walking Fine Line With Station Ownership Move

The Federal Communications Commission will likely be forced to defend its recent decision to eliminate a key break in the way it calculates restrictions on media ownership, and experts said rapidly changing market conditions could make the changes a tough sell.

### Retail Investment Disclosure Vote May Leave Firms In A Bind

Firms that sell packaged investment products face a year-end deadline to start giving investors documents summarizing costs and risks, but attorneys foresee even more difficulty if European Union lawmakers vote Wednesday to reject detailed rules for the disclosures.

## ENERGY & ENVIRONMENTAL

### SoCalGas To Pay \$4M To End LA's Suit Over Huge Gas Leak

Southern California Gas Co. agreed to pay \$4 million to settle criminal charges brought by Los Angeles County alleging the utility didn't properly notify authorities about a massive natural gas leak at a storage facility that displaced thousands of area residents, county prosecutors said Tuesday.

### EPA Asks DC Circ. For En Banc Review In Boiler Rule

The U.S. Environmental Protection Agency on Monday asked the D.C. Circuit to grant en banc review of a panel's July ruling that largely sided with environmentalists in challenges to the EPA's emissions rules for boilers and incinerators.

### EPA Must Release Docs In Effluent Rule Row, Groups Say

Industry groups challenging the U.S. Environmental Protection Agency's power plant effluent rule pressed the Fifth Circuit on Monday to force the agency to turn over documents for the litigation's administrative record, saying the agency's contention it reasonably withheld documents containing "confidential business information" doesn't hold water.

### Legal Scholars Object To House Climate Change Subpoenas

A group of law professors and lawyers on Monday urged House Republicans to drop subpoenas targeting climate science groups and the Massachusetts and New York attorneys general, saying a committee's investigation into an alleged assault on the free speech of fossil fuel companies is itself an assault on free speech.

### Okla., Chamber Say 10th Circ. Right Venue In Water Rule Row

Oklahoma and business groups led by the U.S. Chamber of Commerce on Monday told the Tenth Circuit it has authority to hear their challenges to the federal government's controversial Clean Water Rule, despite a Sixth Circuit finding that it has jurisdiction over the matter.

Stroock & Stroock  
White & Case  
Wilkinson Barker  
Williams & Connolly

## COMPANIES

21st Century Fox Inc.  
AARP Inc.  
AT&T Inc.  
Aereo Inc.  
Amazon.com Inc.  
American Bar Association  
American Civil Liberties Union  
American Immigration Lawyers Association  
American Municipal Power Inc.  
AstraZeneca  
Atlantic Club Casino Hotel  
Bristol-Myers Squibb Company  
CTIA  
Carlyle Group LP  
Center for Biological Diversity Inc.  
Chevron Corporation  
Citizens for Responsibility and Ethics in Washington  
Consumer Watchdog  
Delaware Riverkeeper Network  
Deutsche Bank AG  
Exxon Mobil Corporation  
Facebook  
Florida Bar Association  
Goldman Sachs Group Inc.  
Google Inc.  
Harvest Partners LP  
Hasbro, Inc.  
Home Depot, Inc.  
IP Owners Association  
Information Technology Industry Council  
International Business Machines Corporation  
Internet Corporation for Assigned Names and Numbers  
JPMorgan Chase & Co.  
LPL Financial Holdings Inc.  
Mattel, Inc.  
Mexican American Legal Defense and Education Fund  
Moody's Corporation  
National Basketball Association  
National Collegiate Athletic Association  
National Federation of



## Enviros Say Fishing Agency On Hook For Harm To Whales

Two environmental groups announced Monday that they intend to sue the National Marine Fisheries Service for allegedly authorizing two West Coast fisheries to operate without permits that allow incidental harm to Endangered Species Act-listed whales, a situation the groups fear will lead to more whales being hurt or killed than allowed.

## NJ Rate Agency Blasts Gas Pipeline Plan In FERC Comment

The New Jersey Division of Rate Counsel considers PennEast's plan for a 118-mile natural gas pipeline through the Garden State and Pennsylvania to be driven by agreements with its own affiliates, rather than the needs of ratepayers, according to feedback the agency submitted recently to the Federal Energy Regulatory Commission.

## HEALTH & LIFE SCIENCES

### Vanda Wields New Labeling To Stymie Fanapt Generics

Specialty drugmaker Vanda Pharmaceuticals is attempting to block all generic versions of its flagship schizophrenia medication Fanapt, telling the U.S. Food and Drug Administration that recent labeling changes can be neither copied nor ignored by copycat products.

## IP & TECHNOLOGY

### Patent Office Head Defends Examiners' Work At House Panel

The head of the U.S. Patent and Trademark Office defended her agency's work in wide-ranging questioning before a House panel Tuesday, maintaining she has taken steps to improve the work of patent examiners and better the patent system.

### Congress Must Overhaul Patent Eligibility Law, Experts Say

Recent U.S. Supreme Court decisions limiting patent-eligibility risk are crippling the patent system, and the time has come for Congress to amend the law to protect patents, experts including the former director of the U.S. Patent and Trademark Office said Tuesday.

## MEDIA & ENTERTAINMENT

### Govt. Has Lost \$3.7B On Stadium Subsidies: Brookings Study

The federal government's subsidization of pro sports stadiums with tax-exempt municipal bonds has resulted in a loss to U.S. tax coffers of \$3.7 billion over the past 16 years with little economic gain to show for it, a new Brookings Institution report shows.

### NJ Lawmaker Unveils Funding Plan For New Casino Revenue

A New Jersey lawmaker has unveiled a spending plan for future revenue generated from casinos that would operate in the northern part of the state if voters in November approve a measure to allow the operation of gaming halls outside of Atlantic City.

## TRANSPORTATION & INFRASTRUCTURE

### NJ Bridge Scandal Jurors Probed For Potential Bias

Attorneys and a New Jersey federal judge questioned more than two dozen prospective jurors Tuesday about serving on the trial of former public officials charged in the George Washington Bridge lane-closing scandal, leading them to excuse certain people over doubts that they could be fair and impartial.

Independent Business  
National Immigration Law Center  
National Restaurant Association  
Navigant Consulting Inc.  
New York Times Co.  
New York Yankees  
Nickelodeon Global Network  
Ventures Inc.  
Novartis AG  
Otsuka Holdings Co. Ltd.  
Owner-Operator Independent  
Drivers Association Inc.  
Planned Parenthood Federation  
Public Knowledge  
Revlon, Inc.  
Securus Technologies Inc.  
Sempra Energy  
Sierra Club  
Southern California Gas Co.  
TechFreedom  
Telecommunications Industry  
Association  
The Blackstone Group L.P.  
Trump Organization Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
U-Haul International Inc.  
U.S. Bancorp  
U.S. Chamber of Commerce  
UBS AG  
UGI Corporation  
Union of Concerned Scientists  
United Farm Workers  
Valassis Communications  
Vanda Pharmaceuticals Inc.  
Viacom Inc.  
Wells Fargo & Co.  
Yahoo! Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Consumer Financial Protection  
Bureau  
Defense Contract Audit Agency  
Department of Commerce  
European Commission  
Executive Office of the President  
Federal Acquisition Regulatory  
Council  
Federal Bureau of Investigation  
Federal Communications  
Commission  
Federal Deposit Insurance Corp.

## Truck Drivers Ask 7th Circ. To Dump Electronic Monitoring

Truck drivers who object to being electronically monitored while at work took their objections to the Seventh Circuit Tuesday, arguing that a federal rule requiring the placement of devices in their vehicles that electronically log their hours violates the constitutional guarantee against unreasonable searches.

## INSURANCE

## ACA Marketplaces Still Vulnerable To Fraud, GAO Finds

Affordable Care Act marketplaces are still vulnerable to fraud, the U.S. Government Accountability Office said Monday when it released the results of its 2015 and 2016 undercover investigations into the ease with which health coverage applications are approved at federal and state levels.

## EMPLOYMENT

## Calif. Gov. Approves Overtime Measure For Farm Workers

Calif. Gov. Jerry Brown signed off on a major piece of legislation Monday that will establish a timeline to phase in overtime requirements for farm workers, who are often immigrant laborers, winning praise from the biggest farm workers union in the country.

## Houston Schools Say Auditor's Whistleblower Claims Too Late

The Houston Independent School District on Monday told a state district court that it should dismiss the whistleblower lawsuit its former chief audit executive filed last month alleging he was fired for pointing out violations of law, because his claims were filed too late.

## COMPETITION

## Menendez Loses 3rd Circ. Bid To Revisit Criminal Charges

The Third Circuit declined Tuesday to revisit a decision upholding corruption and conspiracy charges against U.S. Sen. Robert Menendez, but his defense attorney indicated that the senator has plans to take his fight to the U.S. Supreme Court.

## PRIVACY & CONSUMER PROTECTION

## Viacom, Others Reach Deal After NY AG's Child Privacy Probe

Viacom, Mattel, Hasbro and JumpStart have agreed to pay a combined \$835,000 in penalties and implement reforms after an investigation revealed that the children's website operators permitted illegal tracking of kids' online activity, New York Attorney General Eric T. Schneiderman announced Tuesday.

## McCain Won't Back Split Of NSA, Cyber Command Leadership

Sen. John McCain, R-Ariz., said during a Senate Armed Services Committee hearing Tuesday that he would object to any efforts to divide the leadership of the National Security Agency and U.S. Cyber Command before President Barack Obama leaves office.

## Berkeley Cellphone Law Violates Free Speech, 9th Circ. Told

A cellphone trade group urged the Ninth Circuit during oral arguments Tuesday to block the city of Berkeley's ordinance requiring cellphone retailers to warn customers about possible radio signal dangers, saying the rule violates First Amendment protections by requiring companies to voice the city's opinion, not proven facts.

## GOVERNMENT CONTRACTS

Federal Energy Regulatory Commission  
Federal Financial Institutions Examination Council  
Federal Housing Finance Agency  
Federal Motor Carrier Safety Administration  
Federal Reserve System  
Federal Trade Commission  
Financial Stability Oversight Council  
Food and Drug Administration  
Government Accountability Office  
Immigration and Customs Enforcement  
Internal Revenue Service  
National Aeronautics and Space Administration  
National Archives and Records Administration  
National Marine Fisheries Service  
National Security Agency  
National Telecommunications and Information Administration  
New Jersey Board of Public Utilities  
New York Attorney General's Office  
New York State Department of Financial Services  
Office of the Comptroller of the Currency  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
Social Security Administration  
Texas Health and Human Services Commission  
Texas House of Representatives  
Texas State Senate  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
U.S. Senate

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**Contractors Must Obey New Controlled Info Rule, Feds Say**

Federal contractors will be required to abide by new rules aimed at streamlining and clarifying how agencies label and disclose controlled unclassified information, according to a notice to be published Wednesday in the Federal Register.

**Congress Doesn't Need To OK Internet Transition, GAO Says**

The Obama administration's plan to privatize the internet's domain name system moved a step forward on Monday, when the U.S. Government Accountability Office released a report saying that the process is not a transfer of government property requiring a green light from Congress.

**Google, Facebook Back Domain-System Handover Plans**

Google Inc., Facebook Inc., Amazon.com Inc. and other online giants told congressional leaders Tuesday they back plans to privatize the internet's domain name system by transferring American control to the global multistakeholder community.

**NASA Tweaks Cost-Type Contract Pay Request Reviews**

NASA issued an interim rule Tuesday updating how the space agency reviews payment request vouchers under cost-type contracts, to fill the gap left by a congressional prohibition on the Defense Contract Audit Agency's reviewing nondefense contracts.

**Rule Aims To Reduce Audits On Gov't Contract Closeouts**

Fewer proposed settlements closing out federal government prime contracts and subcontracts would be subject to audit under a rule floated Tuesday by the agencies comprising the Federal Acquisition Regulatory Council that would raise the payout amounts that automatically trigger such reviews.

**INTERNATIONAL TRADE**

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**Tech Industry Holding Out Hope For Swift TPP Vote**

Leaders for 13 U.S. technology industry associations on Tuesday turned up the heat on lawmakers to ratify the Trans-Pacific Partnership before the year is out, warning that leaving the agreement behind will deal a substantial blow to U.S. competitiveness in a crucial region.

**TAX**

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**Dems Seek Criminal Probe Into Trump's Fla. AG Donation**

House Democrats on Tuesday called for a federal criminal investigation into allegations that the Donald J. Trump Foundation bribed Florida Attorney General Pam Bondi with a \$25,000 campaign donation to stop her office from taking legal action against Trump's get-rich-quick real estate seminars.

**BANKRUPTCY**

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**Ex-Fla. City Manager Pleads Guilty To Bribery Scheme**

The former city manager of a nearly bankrupt Miami suburb pled guilty Monday in Florida federal court to accepting bribes in an illegal municipal bribery and extortion conspiracy.

**IMMIGRATION**

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**License Denials For Immigrants Spark Another Arizona Suit**

Legal advocacy groups on Monday launched a class action in Arizona over the state's alleged practice of refusing to grant driver's licenses to certain immigrants, saying that the state's policy discriminates against people who aren't citizens without "any valid justification."

### **9th Circ. Won't Rehear Visa Denial Over Suspected Gang Ties**

The Ninth Circuit on Tuesday refused to rehear its ruling that a U.S. consulate had acted within the law in denying a visa to a Mexican man suspected of ties to a street gang, according to an order issued by the appeals court.

## **TELECOMMUNICATIONS**

### **FCC Tells DC Circ. Challenge To Inmate Call Rate Has No Legs**

The Federal Communications Commission on Monday asked the D.C. Circuit to toss a row over its mandated limits on rates for inmate calls, saying that the rate caps themselves have recently changed and that other arguments, such as the agency's purported lack of authority to impose caps, have no standing.

### **Advocacy Groups Push FCC For Strong ISP Privacy Rules**

A group of several public interest groups on Monday pressed the Federal Communications Commission to tighten privacy rules on internet service providers, arguing that the agency cannot look to the Federal Trade Commission's framework when issuing its own rules.

## **EXPERT ANALYSIS**

### **Fortiline: FTC's New Twist On 'Invitation To Collude'**

The standards for proving an invitation to collude already are ambiguous. The Federal Trade Commission's recent action challenging piping distributor Fortiline brings further ambiguity, as this is the FTC's first invitation-to-collude case against an entity that is both a direct competitor with, and a distributor for, the alleged invitee, say attorneys with Jones Day.

### **Mitchell-Lama Cooperatives: An Alternative To Privatizing**

Although New York's Mitchell-Lama program was intended to provide affordable housing, it allows Mitchell-Lama cooperatives to voluntarily privatize, which increases rent for New Yorkers. These cooperatives should consider an alternative option, the Article II to Article XI conversion program, says Erica Buckley of Stroock & Stroock & Lavan LLP.

### **A Look Inside The Future Of Telemedicine In Texas**

In the last several years, Texas has generated significant news related to the disagreements between the Texas Medical Board and Teladoc, a telehealth medical provider. While the dispute and subsequent corollary issues linger in litigation, some telemedicine providers have been in a holding pattern with their business operations in Texas. However, there may be legislative and regulatory changes on the horizon, says Michelle Apodaca with Haynes and Boone LLP.

### **The Jesinoski Opinion Vs. The Statute Of Limitations**

Although the U.S. Supreme Court ruled in *Jesinoski v. Countrywide Home Loans Inc.* that borrowers do not need to file within a three-year period in order to enforce the right to rescind under the Truth-In-Lending Act, borrowers should respect that TILA rescission claims must be brought within a one-year period, say John Hosack and Jason Goldstein of Buchalter Nemer.

## **LEGAL INDUSTRY**

### **3 Secrets To Retaining Millennial Attorneys**

Law firms that want to prevent millennial attorneys from moving to their competitors need to develop retention plans that adhere to the firm's culture while keeping an

eye on the ethos of the under-35 set, who tend to prioritize work-life balance over long hours, according to legal industry experts. Here, Law360 looks at three secrets that will keep the future of your firm from leaving.

### **Davis Polk Wants Female Ex-Associates Back At Work**

Davis Polk & Wardwell LLP is launching a “returnship” program aimed at attorneys who have taken a long break from the firm — namely, women who left to have and raise children — to help them transition back to full-time practice, the firm said Tuesday.

### **Female Partners at Chadbourne Disavow Discrimination Suit**

A group of female partners at Chadbourne & Parke fired back at the attorney who filed a proposed class action alleging the firm discriminates against women, saying in a letter Monday that nobody consulted them about their experiences before filing suit on their behalf.

### **5 Big Legal Names Heading To Kirkland That Aren't Clement**

When Kirkland & Ellis LLP brings the entire fleet of 17 attorneys at Bancroft PLLC into its fold Oct. 1, the firm will gain a good deal more legal talent than former U.S. Solicitor General Paul Clement alone. Here, five other Bancroft attorneys that have turned heads with their legal prowess.

### **Scalia Won Battle Over Statutory Interpretation, Kagan Says**

U.S. Supreme Court Associate Justice Elena Kagan admitted Tuesday that the late Justice Antonin Scalia had, over his career, succeeded in impressing his unique view of statutory interpretation on even his most intractable colleagues, elevating the once low standing of textual analysis to something akin to reverence in the American legal system.

### **Pro Bono Firm Of 2016: Arnold & Porter**

Arnold & Porter's defense of Planned Parenthood against illegal fetal-tissue sale allegations as well as its victories for an innocent man on death row and mentally ill defendants facing lengthy jail terms before trial are just three of the reasons the firm landed a place on Law360's Pro Bono Firms of 2016.

### **Rainmaker Q&A: McDermott's Ira Coleman**

The hardest part of remaining a rainmaker is that every year, on Jan. 1, all of your columns go to zero and you have to start all over again. I use this time as an opportunity to reflect and get re-energized. I feel an obligation to myself and to my clients to do more and be better, says Ira Coleman, global head of McDermott Will & Emery's corporate and transactional group.

### **Rainmaker Q&A: Baer & Troff's James Baer**

Being a rainmaker is less about being a good lawyer and more about developing your business. Like brushing your teeth, you have to do it every single day. It requires constant attention and must be regarded with high importance, says James Baer, principal and founding partner at Baer & Troff LLP.

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Cahill Gordon  
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Cravath Swaine  
Davis Polk  
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Farr Law Firm  
Gibbs Houston  
Greenbaum Rowe  
Haynes and Boone  
Hunton & Williams  
Jackson Lewis  
Jones Day  
Katten Muchin  
Kellogg Huber  
King & Spalding  
Kirkland & Ellis  
Klasko Immigration Law Partners  
Latham & Watkins  
Marshall Gerstein  
McDonald McCann  
Morgan Lewis  
Pillsbury Winthrop  
Proskauer Rose  
Ropes & Gray  
Sanford Heisler  
Shook Hardy  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Sterne Kessler  
Stroock & Stroock  
White & Case  
Wilkinson Barker  
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Facebook  
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AARP Inc.  
AT&T Inc.  
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American Municipal Power Inc.  
AstraZeneca  
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CTIA  
Carlyle Group LP  
Center for Biological Diversity Inc.  
Chevron Corporation  
Citizens for Responsibility and Ethics in Washington  
Consumer Watchdog  
Delaware Riverkeeper Network  
Deutsche Bank AG  
Exxon Mobil Corporation  
Florida Bar Association  
Goldman Sachs Group Inc.  
Harvest Partners LP  
Hasbro, Inc.  
Home Depot, Inc.  
IP Owners Association  
Information Technology Industry Council  
International Business Machines Corporation  
JPMorgan Chase & Co.  
LPL Financial Holdings Inc.  
Mattel, Inc.  
Mexican American Legal Defense and Education Fund  
Moody's Corporation  
National Basketball Association  
National Collegiate Athletic Association  
National Federation of Independent Business  
National Immigration Law Center  
National Restaurant Association  
Navigant Consulting Inc.  
New York Times Co.  
New York Yankees  
Nickelodeon Global Network Ventures Inc.  
Novartis AG  
Otsuka Holdings Co. Ltd.  
Owner-Operator Independent Drivers Association Inc.  
Planned Parenthood Federation  
Public Knowledge  
Revlon, Inc.  
Securus Technologies Inc.  
Semptra Energy  
Sierra Club  
Southern California Gas Co.  
TechFreedom  
Telecommunications Industry Association  
The Blackstone Group L.P.  
Trump Organization Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
U-Haul International Inc.  
U.S. Bancorp  
U.S. Chamber of Commerce  
UBS AG



UGI Corporation  
Union of Concerned Scientists  
United Farm Workers  
Valassis Communications  
Vanda Pharmaceuticals Inc.  
Viacom Inc.  
Wells Fargo & Co.  
Yahoo! Inc.

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U.S. Environmental Protection Agency  
U.S. Patent and Trademark Office  
Federal Trade Commission  
Internal Revenue Service  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Reserve System  
Government Accountability Office  
National Aeronautics and Space Administration  
National Telecommunications and Information Administration  
New York Attorney General's Office  
Office of the Comptroller of the Currency  
Securities and Exchange Commission  
U.S. Attorney's Office  
U.S. Department of Homeland Security  
U.S. Department of Labor  
Army Corps of Engineers  
Consumer Financial Protection Bureau  
Defense Contract Audit Agency  
Department of Commerce  
European Commission  
Executive Office of the President  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Financial Institutions Examination Council  
Federal Housing Finance Agency  
Federal Motor Carrier Safety Administration  
Financial Stability Oversight Council  
Food and Drug Administration  
Immigration and Customs Enforcement  
National Archives and Records Administration  
National Marine Fisheries Service  
National Security Agency  
New Jersey Board of Public Utilities  
New York State Department of Financial Services  
Port Authority of New York & New Jersey  
Social Security Administration  
Texas Health and Human Services Commission



Texas House of Representatives  
Texas State Senate  
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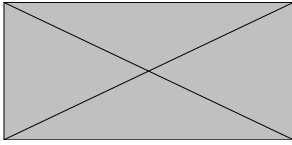
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**Subject:** Judiciary Pushes Back Day It Will Go Broke Over Shutdown



**PUBLIC POLICY.**

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**Tuesday, January 8, 2019**

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## TOP NEWS

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### Judiciary Pushes Back Day It Will Go Broke Over Shutdown

The U.S. judiciary has pushed back the date it is expecting to run out of money over the government shutdown to next week, increasing the chances that the impasse will resolve before courts may have to start cutting staff and delaying litigation. [Read full article »](#)

#### Analysis

### Shutdown Pushes Antitrust Agencies Into Merger 'Triage'

The government shutdown has forced unpaid skeleton crews at the U.S. Department of Justice and the Federal Trade Commission to focus only on mergers with ticking review clocks, shunting others to the back of the line as the antitrust bar plays the waiting game. [Read full article »](#)

### Justice Ginsburg Misses High Court Arguments For First Time

Justice Ruth Bader Ginsburg missed oral arguments Monday morning for the first time in her quarter-century on the U.S. Supreme Court, spending the day working from home while she recovers from cancer surgery last month. [Read full article »](#)

### High Court Would Get Ethics Code Under Dems' Proposed Bill

The first bill introduced in the House by the newly sworn-in 116th Congress would impose ethics rules on U.S. Supreme Court justices for the first time. [Read full article »](#)

### Pols Can't Block Critics On Social Media, 4th Circ. Says

Politicians can't ban unfavorable constituents from social media pages and accounts used for official purposes, a Fourth Circuit panel ruled Monday, in a case that centers on issues similar to those at play in a dispute at the Second Circuit over President Donald Trump's Twitter account. [Read full article »](#)

### NJ, Gov. Campaign Accused Of Mishandling Rape Claim

A New Jersey housing official on Monday launched a lawsuit alleging the state and the campaign of Gov. Phil Murphy mishandled her claim that she was raped by a former campaign staffer who later got a high-ranking position within the administration. [Read full article »](#)

### Colo. Can't Dodge Masterpiece Baker's Bad Faith Suit

Colorado officials must face a lawsuit filed by the baker who won a landmark U.S. Supreme Court LGBT rights case last year, a federal judge has ruled, saying the state's second discrimination complaint against him was likely brought in bad faith. [Read full article »](#)

### New Calif. Gov. To Focus On Expanding Health Care Access

California Gov. Gavin Newsom took office Monday, laying out a bold agenda on a broad swath of issues and taking a series of actions aimed at expanding health care access in the Golden State. [Read full article »](#)

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#### LAW FIRMS

Arnold & Porter  
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Crowell & Moring  
Cullen Law Firm  
Dentons  
Earthjustice  
Eastern Environmental Law Center  
Eversheds Sutherland  
Genova Burns  
Goodwin  
Gordon & Rees  
Hoagland Longo  
Hodgson Russ  
Holland & Hart  
Hunton Andrews Kurth  
Immigrant Advocacy & Litigation Center  
Jones Day  
Kirkland & Ellis  
Kurzban Kurzban  
Lane Powell  
Maraziti Falcon  
Mayer Brown  
McKirdy & Riskin  
Native American Rights Fund  
Paul Hastings  
Perkins Coie  
Proskauer Rose  
Reed Smith  
Sidley Austin  
Skadden

CLV000433

## High Court Won't Review Row Over State Voter Data Grabs

The U.S. Supreme Court on Monday refused to take up the Electronic Privacy Information Center's challenge to a ruling that found it lacked standing to contest the collection of state voter data by President Donald Trump's now-defunct voter fraud commission. [Read full article »](#)

## BANKING & SECURITIES

## 9 Financial Firms Plan To Start New Exchange To Rival Giants

Nine Wall Street firms on Monday said they are teaming up to launch a stock exchange billed as a low-cost alternative to dominant players such as the New York Stock Exchange and Nasdaq. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

## High Court Skips Mass. AG Exxon Probe, Other Enviro Cases

The U.S. Supreme Court on Monday passed on reviewing several environmental and energy cases, including Exxon Mobil Corp.'s quest to stop the Massachusetts attorney general's probe into the company's climate change statements and Oklahoma wind farm developers' bid to skip approvals from the Osage Nation for a project. [Read full article »](#)

## Supreme Court Won't Revive Calif. Truck Air Filter Challenges

The U.S. Supreme Court on Monday refused to review a legal challenge to the California Air Resources Board's requirement that commercial trucks install engine particulate filters, after a state appeals court already found it didn't have jurisdiction to consider opposition to the measure. [Read full article »](#)

## Don't Limit CWA Liability Case, Maui Tells High Court

Maui County, Hawaii, on Monday urged the U.S. Supreme Court to tackle the entirety of its appeal of the Ninth Circuit's ruling that the Clean Water Act covers pollution that reaches certain waterways via groundwater, rather than merely determining the CWA's scope, as suggested by the Solicitor General's Office. [Read full article »](#)

## FWS Seeks To Ax FOIA Suit Over Elephant, Lion Trophy Docs

The U.S. Fish and Wildlife Service has urged a Virginia federal court to toss most of a suit brought by The Humane Society over FWS' alleged failure to publicly post information on the permits it issues to those seeking to import elephant and lion body parts into the country as trophies. [Read full article »](#)

## Recycling Co's Price-Fixing Suit Against Reno Tossed

A Nevada federal judge on Monday dismissed a Nevada recycling company's lawsuit accusing rivals and the city of Reno of fixing prices for recyclable materials. [Read full article »](#)

## HEALTH & LIFE SCIENCES

## 11th Circ. Says Future Methadone Clinic Can't Fight Ga. Laws

A company that plans to open a methadone clinic but has done no more than register its name doesn't have standing to challenge two Georgia laws that temporarily froze the state's issuance of new clinic licenses, the Eleventh Circuit has affirmed. [Read full article »](#)

## TRANSPORTATION & INFRASTRUCTURE

## Ford Settles On Cellular-Connected Cars Amid FCC Debate

Ford has decided that the future of technology that connects cars to each other lies in a

Stark & Stark

Valli Kane

Van Ness Feldman

Weil Gotshal

White & Case

WilmerHale

## COMPANIES

Alliance Defending Freedom

Altman Weil Inc.

Amazon.com Inc.

American Cable Association

American Retirement Association

Bank of America Corp.

CW Network LLC

Cable News Network Inc.

Carnival Corp.

Center for Biological Diversity

Charles Schwab Corporation

Chesapeake Energy Corporation

Choice Hotels International, Inc.

DISH Network Corporation

DraftKings Inc.

Electronic Privacy Information Center

Enel SpA

Experian

Exxon Mobil Corp.

Facebook

FanDuel Inc.

Ferro Corp.

Fidelity Investments

Humane Society of the United States

Institute for Justice

Kinder Morgan Inc.

MedStar Health

Memorial Sloan Kettering Cancer Center

Mitsubishi Chemical Holdings

Morgan Stanley

NASDAQ OMX Group Inc.

NFL Enterprises LLC

NYCwireless Inc.

National Association of Broadcasters

National Telephone Cooperative Association

New York Times Co.

New York University

Oath Inc.

Old Dominion Electric Cooperative  
Owner-Operator Independent

CLV000434

cellular approach rather than the long-favored, radio wave-based one, a decision that could bode well for those pushing the Federal Communications Commission to repurpose the 5.9 GHz band of the spectrum for 5G use. [Read full article »](#)

## REAL ESTATE

### NJ Towns Must Back Up Need To Take Land When Challenged

Municipalities and redevelopment agencies in New Jersey must present evidence to back up the need to acquire properties via eminent domain for redevelopment projects when property owners challenge the condemnations, a state appeals court said Monday in a published opinion upending a ruling allowing the borough of Glassboro to take a parcel of land. [Read full article »](#)

### Hoboken Can't Block High-Rise Plans With Zoning Changes

Hoboken, New Jersey, was dealt another blow in its efforts to block construction of two high-rise residential buildings along the Hudson River after a state appeals court ruled Monday that municipal ordinances could not be retroactively applied to the project. [Read full article »](#)

## EMPLOYMENT

### Supreme Court Again Pushes Back 3 LGBT Bias Petitions

The U.S. Supreme Court on Monday pushed back a closely watched trio of petitions asking whether federal workplace discrimination law protects LGBT workers, relisting them for consideration at its upcoming judicial conference Friday after having failed to act on them following its most recent conference last week. [Read full article »](#)

## INTERNATIONAL TRADE

### China Bats Aside Trump's Claim Of Leverage In Trade Talks

As U.S. and Chinese officials huddled in Beijing for a round of closely watched trade talks Monday, China's Foreign Ministry dismissed claims from President Donald Trump that Beijing's weak economy gives the U.S. leverage at the negotiating table. [Read full article »](#)

## TAX

### IRS To Issue Refunds During Partial Government Shutdown

The Internal Revenue Service will officially begin the tax filing season on Jan. 28, which will allow the agency to begin processing refunds, even if the partial government shutdown currently affecting the agency continues, IRS Commissioner Charles Rettig said Monday. [Read full article »](#)

## BANKRUPTCY

### English Translation Key In 1st Circ. Puerto Rico Bond Dispute

The fate of billions of dollars in collateral from employer contributions to Puerto Rico's largest public pension fund could hinge on the fact that an official Spanish-to-English translation altered the English name of the fund, an action whose impact on bondholders staking a claim to the collateral was debated Monday before a First Circuit panel. [Read full article »](#)

## IMMIGRATION

### Racist Politics At Core Of Haitian Status Decision, Court Told

Drivers Association Inc.  
PG&E Corporation  
PJM Interconnection LLC  
Plains All American Pipeline LP  
Post Holdings Inc.  
QUALCOMM Inc.  
Sprint Nextel Corporation  
T-Mobile USA Inc.  
TD Ameritrade Holding Corp.  
Texas RioGrande Legal Aid Inc.  
The ERISA Industry Committee  
The Wireless Internet Service Providers Association  
Trader Joe's Co.  
Twitter Inc.  
UBS AG  
Valero Energy Corp.  
Verizon Communications Inc.  
Virtu Financial Inc.  
Waste Management, Inc.  
XO Communications LLC  
Zeughauser Group LLC

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
California Air Resources Board  
California Attorney General's Office  
Congressional Research Service  
Crow Nation  
Employee Benefits Security Administration  
Equal Employment Opportunity Commission  
European Union  
Executive Office of the President  
Federal Communications Commission  
Federal Emergency Management Agency  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Government Accountability Office  
Internal Revenue Service  
Joint Committee on Taxation  
Massachusetts Supreme Judicial Court  
Mille Lacs Band of Ojibwe  
New York City Council

CLV000435

Haitians who sued over the Trump administration's decision to end their special immigration status told a Brooklyn federal judge on Monday they had evidence showing the decision was rooted in anti-immigrant politics and the president's anti-Haitian racism, not the law. [Read full article »](#)

### **Challenge To Alleged Asylum Deterrence Policy Can Proceed**

A judge ruled on Friday that a group of asylum-seekers can move forward with their challenge in D.C. federal court to an alleged U.S. Department of Homeland Security policy to regularly deny parole requests for asylum-seekers who present themselves at ports of entry in order to discourage others from making asylum claims. [Read full article »](#)

### **Sen. Wants Overhaul Of Safety Protocols For Detained Kids**

The U.S. Department of Homeland Security and U.S. Customs and Border Protection should reform the internal standards the agencies set for the detention of immigrant children to prevent tragedies such as the two recent deaths of minors while in government custody, Sen. Catherine Cortez Masto, D-Nev., told the agencies on Monday. [Read full article »](#)

### **Immigrant Parents Aren't Owed Mental Health Care, Feds Say**

The government asked a California federal judge Monday to toss a proposed class action by immigrant parents seeking mental health care after being separated from their children under Trump administration policy, arguing any obligation to provide such care ended when the parents were released from custody. [Read full article »](#)

## **NATIVE AMERICAN**

### **Analysis**

### **Justices Poised To Finally Clarify Wyo. Tribe's Treaty Rights**

The U.S. Supreme Court will hear arguments Tuesday in a Crow Tribe member's bid to upend his state court conviction for elk hunting in Wyoming's Bighorn National Forest, a case that should see the justices clear up confusing precedent going back to the 1800s and determine how strongly the tribe's treaty rights stack up against Wyoming's statehood. [Read full article »](#)

## **TELECOMMUNICATIONS**

### **Coalition Opposing Sprint-T-Mobile Merger Adds 5 New Orgs**

Five organizations announced their opposition Monday to the proposed Sprint and T-Mobile merger by joining the 4Competition Coalition, an alliance of prominent companies and organizations lobbying the U.S. Department of Justice and the Federal Communications Commission to stop the deal. [Read full article »](#)

### **Nexstar Hurting Viewers In Fee Dispute, TDS Tells FCC**

Nexstar Media Group is holding sought-after TV programming hostage while it tries to force TDS Telecom to pay more than double the retransmission fees TDS pays other carriers, the telecom company has told the Federal Communications Commission. [Read full article »](#)

## **EXPERT ANALYSIS**

### **NY Tax Minutes: December Review And 2019 Preview**

Timothy Noonan and K. Craig Reilly of Hodgson Russ LLP cover New York's largest whistleblower settlement, Gov. Andrew Cuomo's declaration of independence from Washington, D.C., and the important tax decisions that closed out 2018, with a look ahead at what's likely to make tax headlines in 2019. [Read full article »](#)

### **6 Advertising Law Trends To Watch In 2019**

In the world of advertising last year, the recurring theme appeared to be honesty. With

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the lid pried away to expose how companies have been studying their customers, those customers have begun studying the companies in return, say Jason Gordon and Andrew Levad of Reed Smith LLP. [Read full article »](#)

#### Opinion

### A Call To Permit Judicial Substitution In MDL Proceedings

While several proposed changes to multidistrict litigation procedures may be warranted and appropriate, consideration should be given to a modest modification of the judicial selection process, says Doug Smith of Kirkland & Ellis LLP. [Read full article »](#)

### No Future Gain Tax For Foreigners Investing In US Property

Proposed qualified opportunity zone regulations confirmed that the regime provides the significant taxpayer benefit of no tax on future appreciation. For non-U.S. persons, this benefit could effectively repeal the Foreign Investment in Real Property Tax Act for U.S. opportunity zone property investments, says Eric Kodesch of Lane Powell PC. [Read full article »](#)

## LEGAL INDUSTRY

### The 3 Hottest Regions For BigLaw Acquisitions In 2018

In a record-breaking year for law firm mergers that saw the industry log 106 total tie-ups, three regions stood out in 2018 as epicenters of activity for the largest firms, according to a report released Monday. [Read full article »](#)

### Clyde & Co Launches Program To Level Gender Imbalance

Clyde & Co LLP on Monday launched a new global training program geared primarily toward its female lawyers to increase gender balance in its marketing, communications and business development activities as part of its efforts to present a more diverse brand to its clients. [Read full article »](#)

### Ex-Atty For Mitsubishi Blasts Bid To Nix Gender Bias Suit

A former in-house attorney at a Mitsubishi Chemical Corp. unit pushed back Friday against a motion to have her suit accusing the company of gender discrimination tossed out of New York federal court. [Read full article »](#)

### Retirement Group Nabs Eversheds Sutherland Atty As GC

The American Retirement Association has beefed up its governmental affairs team by scooping up an attorney from Eversheds Sutherland to work as the group's general counsel and putting an ex-Employee Retirement Income Security Act Industry Committee professional in a lobbying role, the group announced Monday. [Read full article »](#)

#### Interview

### 15 Minutes With Choice Hotels' General Counsel

Before moving in-house, Simone Wu worked for five years at Skadden, where she counted large media and technology companies among her clients. Now as the general counsel of Choice Hotels, she shares her thoughts on her preference to be more of a generalist than a specialist, the shifting role of corporate legal departments to function as businesses and her ideal vacation. [Read full article »](#)

### 'Flexible Work' Makes Freelancing More Viable In BigLaw

The rise of remote work capabilities and advances in technology are making flexible, freelance legal work a more accessible career option for corporate attorneys, say Elizabeth Black and Sara Eng of InCloudCounsel. [Read full article »](#)

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Earthjustice  
Eastern Environmental Law Center  
Eversheds Sutherland  
Genova Burns  
Goodwin  
Gordon & Rees  
Hoagland Longo  
Hodgson Russ  
Holland & Hart  
Hunton Andrews Kurth  
Immigrant Advocacy & Litigation Center  
Jones Day  
Kurzban Kurzban  
Lane Powell  
Maraziti Falcon  
Mayer Brown  
McKirdy & Riskin  
Native American Rights Fund  
Paul Hastings  
Perkins Coie  
Proskauer Rose  
Reed Smith  
Sidley Austin  
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Facebook  
T-Mobile USA Inc.  
Twitter Inc.  
Alliance Defending Freedom  
Altman Weil Inc.  
Amazon.com Inc.  
American Cable Association  
American Retirement Association  
Bank of America Corp.



CW Network LLC  
Cable News Network Inc.  
Carnival Corp.  
Center for Biological Diversity  
Charles Schwab Corporation  
Chesapeake Energy Corporation  
Choice Hotels International, Inc.  
DISH Network Corporation  
DraftKings Inc.  
Electronic Privacy Information Center  
Enel SpA  
Experian  
Exxon Mobil Corp.  
FanDuel Inc.  
Ferro Corp.  
Fidelity Investments  
Humane Society of the United States  
Institute for Justice  
Kinder Morgan Inc.  
MedStar Health  
Memorial Sloan Kettering Cancer Center  
Mitsubishi Chemical Holdings  
Morgan Stanley  
NASDAQ OMX Group Inc.  
NFL Enterprises LLC  
NYCwireless Inc.  
National Association of Broadcasters  
National Telephone Cooperative Association  
New York Times Co.  
New York University  
Oath Inc.  
Old Dominion Electric Cooperative  
Owner-Operator Independent Drivers Association Inc.  
PG&E Corporation  
PJM Interconnection LLC  
Plains All American Pipeline LP  
Post Holdings Inc.  
QUALCOMM Inc.  
Sprint Nextel Corporation  
TD Ameritrade Holding Corp.  
Texas RioGrande Legal Aid Inc.  
The ERISA Industry Committee  
The Wireless Internet Service Providers Association  
Trader Joe's Co.  
UBS AG  
Valero Energy Corp.  
Verizon Communications Inc.  
Virtu Financial Inc.  
Waste Management, Inc.  
XO Communications LLC  
Zeughauser Group LLC



## GOVERNMENT AGENCIES

U.S. Supreme Court  
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U.S. Department of Homeland Security  
Federal Communications Commission  
California Air Resources Board  
Federal Trade Commission  
Internal Revenue Service  
Securities and Exchange Commission  
U.S. Attorney's Office  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
California Attorney General's Office  
Congressional Research Service  
Crow Nation  
Employee Benefits Security Administration  
Equal Employment Opportunity Commission  
European Union  
Executive Office of the President  
Federal Emergency Management Agency  
Federal Energy Regulatory Commission  
Fish and Wildlife Service  
Government Accountability Office  
Joint Committee on Taxation  
Massachusetts Supreme Judicial Court  
Mille Lacs Band of Ojibwe  
New York City Council  
New York State Empire State Development  
U.S. Army  
U.S. Customs and Border Protection  
U.S. Department of Labor  
U.S. General Services Administration  
U.S. Office of Personnel Management

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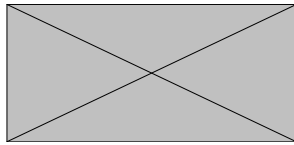
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**Subject:** [Marketing Mail] 3 Key Takeaways From The 9th Circ.'s Travel Ban Ruling



PUBLIC POLICY

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**Monday, February 13, 2017**

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## TOP NEWS

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### Analysis

#### 3 Key Takeaways From The 9th Circ.'s Travel Ban Ruling

The Ninth Circuit's decision not to reinstate President Donald Trump's travel ban offers key insights into the limits of presidential power and highlights the policy's vulnerabilities. Here are three important takeaways from the appellate ruling — and a look at what the administration might do next.

#### Fed's Regulatory Chief To Step Down In April

The Federal Reserve's point man for post-financial crisis regulations will step down from his post in early April in a seismic shift at the central bank, the Fed announced Friday.

#### Senate Confirms Price For HHS Secretary

The Senate confirmed another of President Donald Trump's cabinet picks in the early hours of Friday morning, voting in Rep. Tom Price as secretary of the U.S. Department of Health and Human Services.

#### Senate To Vote Monday On Trump Treasury Pick Mnuchin

The Senate is teed up for a final vote on Treasury Secretary nominee Steve Mnuchin, as President Donald Trump's pick to lead the department cleared a key Senate hurdle early Friday.

#### Schumer Blasts Gorsuch's Silence, Worries Over Activism

Senate Democrats continued public criticism of President Donald Trump's Supreme Court nominee Friday, questioning whether Tenth Circuit Judge Neil Gorsuch would be an "activist" or "radical judge" as the court's next associate justice.

### Analysis

#### Ex-Jones Day Attys Puzzle Ethics Experts By Sitting Out Case

Days before taking the biggest legal stage yet for the new Trump administration, top U.S. Department of Justice lawyers plucked from Jones Day took a knee and refused to appear in the controversial immigration case, a move that has ethics experts scratching their heads.

### Analysis

#### FTC's New Bureau Head Likely To Keep Up Privacy Pressure

Jessica Rich recently stepped down from her role as the Federal Trade Commission's Consumer Protection Bureau director after a nearly four-year tenure marked by record-breaking fines and novel enforcement actions that challenged emerging digital advertising and privacy issues. But Rich's loss is likely to be blunted by the decision to replace her with a seasoned FTC veteran who should be open to continuing the agency's aggressive consumer protection enforcement agenda.

## BANKING & SECURITIES

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## LAW FIRMS

Akin Gump  
Arnall Golden  
Babst Calland  
Balch & Bingham  
Ballard Spahr  
Bick Law LLP  
Bradley  
Chiesa Shahanian  
Clark & Washington  
Cohen & Gresser  
Covington & Burling  
Davis & Gilbert  
Dewey & LeBoeuf  
Foley & Lardner  
Gibson Dunn  
Golenbock Eiseman  
Haynes and Boone  
Holland & Knight  
Hunton & Williams  
Jones Day  
K&L Gates  
Kessler Topaz  
King & Spalding  
Kirkland & Ellis  
Labaton Sucharow  
Latham & Watkins  
Manatt Phelps  
Mayer Brown  
McKool Smith  
MoloLamken LLP  
Morgan Lewis  
Ogletree Deakins  
Perkins Coie  
Proskauer Rose  
Reed Smith  
Richards Layton  
Sanford Heisler  
Seward & Kissel  
Sidley Austin

CLV000442

## Senators Question Goldman's Influence On Trump's Orders

Two Democratic U.S. senators on Thursday asked Goldman Sachs Group Inc. and its CEO to reveal the extent to which his company and its former president influenced President Donald Trump's recent executive orders aimed at relaxing banking and fiduciary regulations.

## ENERGY & ENVIRONMENTAL

### Nearly 30 Senate Dems Sign On To Scientific Integrity Bill

A group of Senate Democrats have co-sponsored a bill aimed at protecting scientific integrity within U.S. governmental agencies in the wake of concerns by some about whether the Trump Administration will support the objective scientific process and allow scientists to communicate freely with the public, according to a Thursday announcement.

### Pa. Justices Urged To Nix Fracking Rule Injunction

Pennsylvania's environmental regulators urged the state Supreme Court on Wednesday to overturn an injunction blocking new regulations governing surface areas near gas drilling and hydraulic fracturing, saying the lower court erred when it granted the "extraordinary remedy" of a preliminary injunction.

### Oil Group Fights EPA 2017 Biofuel Requirements In DC Circ.

The American Petroleum Institute, a longtime foe of the U.S. Environmental Protection Agency's renewable fuels program, on Thursday challenged the agency's 2017 renewable fuel volume requirements in the D.C. Circuit.

### States, Cos. Tell DC Circ. To Uphold EPA Mercury Rule

Several states and local governments, along with two energy companies, on Friday told the D.C. Circuit it should uphold the U.S. Environmental Protection Agency's Mercury and Air Toxics Standards rule, arguing the cost-benefit analysis it performed to comply with a U.S. Supreme Court order proves the rule's necessity.

## HEALTH & LIFE SCIENCES

### How Tom Price Is Being Welcomed As HHS Secretary

Trade lobbies, consumer groups, women's rights advocates and lawmakers on Friday voiced sharply divergent reactions to the confirmation of Rep. Tom Price, R-Ga., as secretary of the U.S. Department of Health and Human Services. Here's a look at the cheers and jeers that marked Price's welcoming.

## TRANSPORTATION & INFRASTRUCTURE

### Alabama City Sued Over 'Unconstitutional' Traffic Cameras

An Alabama city and the company that installed its traffic cameras have conspired to illegally profit from constitutional and civil rights violations, a proposed class of people photographed allegedly running red lights told a federal court Wednesday.

## EMPLOYMENT

### Atlantic City Fire Union Wins Remand In Suit Against NJ

A New Jersey federal judge on Friday remanded a lawsuit from the union representing Atlantic City firefighters alleging state officials are unlawfully seeking to lay off 100 firefighters and alter the union's contract, finding that the court lacks jurisdiction since the complaint does not assert any federal claims.

### House GOP Taking Aim At SEC Whistleblower Program

House Republicans are planning to make changes to the U.S. Securities and

Skadden  
Squire Patton Boggs  
Step toe & Johnson LLP  
Stroock & Stroock  
The Finley Firm PC  
Thompson & Knight  
White & Case  
Wiley Rein  
WilmerHale

## COMPANIES

AT&T Inc.  
Aetna Inc.  
Amazon.com Inc.  
America Fujikura Ltd.  
America's Essential Hospitals  
America's Health Insurance Plans  
American Cable Association  
American Federation of Labor and Congress of Industrial Organizations  
American Health Care Association  
American Petroleum Institute Inc.  
Apple Inc.  
Calpine Corporation  
Charter Communications Inc.  
D-Link Corporation  
DISH Network Corporation  
ERM Group Inc.  
Elevate Services Inc.  
Exelon Corporation  
Financial Industry Regulatory Authority Inc.  
Generic Pharmaceutical Association Inc.  
Goldman Sachs Group Inc.  
Google Inc.  
Herbalife Ltd.  
Humana Inc.  
KBW, Inc.  
LifeLock Inc.  
Mobilitie LLC  
Murray Energy Corp.  
National Association of Broadcasters  
National Restaurant Association  
National Telephone Cooperative Association  
New York Times Co.  
Planned Parenthood Federation  
Pom Wonderful LLC  
Public Company Accounting Oversight Board

Exchange Commission's enforcement agenda, including a provision that could curtail the agency's whistleblower program, in legislation intended to rewrite Dodd-Frank, according to a memo circulating among GOP leadership.

## PRIVACY & CONSUMER PROTECTION

### NY Appeals Court Upholds NYC Restaurant Salt Warning Rule

A New York appeals court on Friday affirmed a trial court's rejection of a challenge to a controversial rule requiring chain restaurants in New York City to alert customers to high-sodium food they serve.

### 5th Circ. Dismisses Trans Prof's Bathroom Rule Appeal

The Fifth Circuit on Thursday dismissed a transgender professor's appeal of a Texas federal judge's nationwide block on an Obama administration directive allowing students to use restrooms that match their gender identity, finding that she isn't a party to the case and thus isn't allowed to appeal.

## GOVERNMENT CONTRACTS

### NJ Biz Barred From State Contracts Over Political Donation

A New Jersey state appeals court on Thursday upheld agency decisions rescinding about \$7 million in two contracts to a paving business and disqualifying the company from any state contract through the remainder of Gov. Chris Christie's second term because of its \$500 contribution to a county political committee.

## INTERNATIONAL TRADE

### Dems Say Trump Has Flipped, Now Supports Ex-Im

A pair of Democratic senators said Thursday that President Donald Trump has changed his position on the U.S. Export-Import Bank — which he once blasted as “featherbedding” for politicians and corporate interests — and now supports returning the bank to its full lending capacity.

### US, Japan Talk Trade Ties As Trump Rattles Currency Saber

President Donald Trump and Japanese Prime Minister Shinzo Abe emerged from their White House meeting Friday with plans to work more closely on Asia-Pacific trade, but Trump also signaled that he may take action on purported currency devaluations by the region's other economic powerhouse, China.

## TAX

### Christie Axes Bill To Revive Biz-Friendly Zones In 5 Cities

New Jersey Gov. Chris Christie on Friday conditionally vetoed legislation that would have restored designations providing reduced sales taxes and other benefits to merchants in five cities, drawing criticism from Democratic lawmakers and a statewide business association.

### IRS Says Conservative Group's Political Bias Claim Is Moot

The IRS countered a conservative advocacy group's continued efforts to litigate claims of discrimination and political bias, saying in a court filing on Thursday that the group's arguments of potential future harm are beyond the scope of its original complaint.

### Ga. Introduces Bill In Line With U.S. Partnership Audit Law

Georgia has become the third state to introduce legislation in line with a federal law that was passed in 2015 to change how partnerships will be audited.

Redflex Traffic Systems  
Reed Elsevier  
The Boeing Company  
The Western Union Company  
Trump Organization Inc.  
Twitter Inc.  
Uber Technologies Inc.  
Verizon Communications  
Vizio Inc.  
Volkswagen  
Wells Fargo & Co.  
Wyndham Worldwide Corporation

## GOVERNMENT AGENCIES

Bureau of Land Management  
California Department of Justice  
Centers for Medicare & Medicaid Services  
Central Intelligence Agency  
Consumer Financial Protection Bureau  
Equal Employment Opportunity Commission  
European Commission  
Export-Import Bank of the United States  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Government Accountability Office  
Immigration and Customs Enforcement  
Internal Revenue Service  
Los Angeles World Airports  
Montana Legislature  
Municipal Securities Rulemaking Board  
National Aeronautics and Space Administration  
National Economic Council  
National Labor Relations Board  
New Jersey Department of Transportation  
New Jersey Department of Treasury  
New York City Department of Health and Mental Hygiene  
Office of the Federal Register

## IMMIGRATION

### Judge Finds Scant Evidence For Trump's Immigration Ban

A Virginia federal judge battered the Trump administration Friday for lacking a "scintilla of evidence" to justify an immigration ban targeting seven Muslim-majority countries, weighing whether to impose a more lasting block on the controversial policy than that upheld Thursday evening by the Ninth Circuit.

### US Trying To Resolve Yemeni Visa Issues, Calif. Judge Told

The federal government is working to settle the legal claims of Yemeni immigrants who say they were issued visas but improperly prevented from coming to the United States because of the Trump administration's travel ban, a Justice Department attorney told a California judge at a hearing Friday.

### New Crime-Of-Violence Deportation Case Hits Supreme Court

The U.S. Supreme Court should take up a Third Circuit ruling that a federal statute defining a "crime of violence" is unconstitutionally vague, but delay review until the justices decide another deportation case examining the same question, the federal government has said.

## TELECOMMUNICATIONS

### FCC's Auction Tally Rises To \$19.6B As Bidding Ends

The Federal Communications Commission said Friday that it had racked up \$19.6 billion in bids for spectrum for wireless use as a portion of the broadcast incentive auction came to an end Friday, with the FCC moving forward in a process to clear the 84 MHz of spectrum set to be repurposed.

### Senator Presses FCC To Limit Cable Contract Terms

U.S. Sen. Claire McCaskill, D-Mo., has urged the new Federal Communications Commission chief to act on his predecessor's plan to limit certain provisions in agreements between pay-TV providers and independent programmers, saying a Senate subcommittee investigation shows the move would increase competition and viewer choice.

### Next-Gen Broadcasting Perilous For Small Cable, FCC Told

The American Cable Association has urged the Federal Communications Commission to beware of the potential capacity strains that small cable companies could face with the approval of a next-generation broadcasting standard, saying the proposed transition "holds great peril."

### Senate Dems Urge FCC To Return Lifeline Eligibility To Cos.

Fifteen senators said they were "deeply troubled" by the Federal Communications Commission's recent decision to strip nine companies of eligibility to provide broadband service under the Lifeline program for low-income users, urging the commission's chairman to reconsider in a letter Friday.

### Municipalities Warn FCC Against 5G Infrastructure Mandate

Several city and town leaders from across the country have urged the Federal Communications Commission against a broad federal mandate to clear the way for infrastructure for next-generation wireless technology at the local level, citing existing staffing and other challenges.

### FCC Head Says Staff Can't Edit Rules After Passage

Federal Communications Commission chairman Ajit Pai announced a measure Thursday that curtails so-called editorial privileges customarily conferred on agency staff members, prohibiting staffers from substantially changing proposals after the commission passes them.

## EXPERT ANALYSIS

Pennsylvania General Assembly  
Pennsylvania Supreme Court  
Securities and Exchange Commission  
Small Business Administration  
U.S. Attorney's Office  
U.S. Census Bureau  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Office Of Special Counsel  
U.S. Secret Service  
U.S. Senate  
U.S. Supreme Court  
United Nations



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## **Trump's Immigration Orders: A Pillar For Future Policy?**

At first blush, President Donald Trump's initial immigration executive orders appeared to cover issues related to illegal immigration and the building of his border wall. But on a closer look, these orders appear to be the key building blocks associated with the Trump administration's immigration strategy, say Christopher Thomas and Phillip Pemberton of Ogletree Deakins Nash Smoak & Stewart PC.

## **State AGs Can Enforce Emoluments Clause Against Trump**

Many argue that President Donald Trump is violating the Constitution's emoluments clause, because foreign states and officials are making payments to Trump through his businesses. Quo warranto — an obscure legal procedure previously used by "birthers" against President Obama — empowers state attorneys general to pursue Trump's business entities for emoluments clause violations, says Jed Shugerman of Fordham University Law School.

## **The (Not-So-Certain) Future Of EPA's Vapor Intrusion Rule**

If the U.S. Environmental Protection Agency, under direction of the new administration, determines its final vapor intrusion rule raises a "substantial question of fact, law or policy," the issue may be subject to additional rulemaking or other further actions. In other words, the rule's future and potential impact currently are in doubt, say Gabriel Padilla of Bick Law LLP and Nadine Weinberg of ERM Group Inc.

## **How Open-End Funds Can Utilize Swing Pricing**

Swing pricing works by allowing a fund to respond to significant purchase or redemption activity on a trading day by artificially reducing its net asset value. The U.S. Securities and Exchange Commission's recent acceptance of the concept evidences its concern with the risk of shareholder dilution resulting from transaction costs, say Gary Granik and Kim Kaufman of Stroock & Stroock & Lavan LLP.

## **In Congress: CRA Disapprovals, Sub-Cabinet, Mnuchin**

House Joint Resolution 43 is likely to draw the most public attention of the five Congressional Review Act disapproval resolutions in the House this week, given the political sensitivity of abortion and family-planning services. Across the Capitol, a vote is expected on the nomination of Steven Mnuchin to serve as Secretary of the Treasury. Richard Hertling and Kaitlyn McClure of Covington & Burling LLP review the full calendar.

### **Opinion**

## **Lawyers Cannot Stay Silent While Trump Belittles The Courts**

This is not the first time that a president has criticized the judiciary. But what is unique about President Donald Trump's attacks is that they target not just a specific decision, but the judiciary and its decision-making power altogether. Every lawyer, regardless of political persuasion, must speak up, says Alexandra Wald of Cohen & Gresser LLP.

## **LEXIS PRACTICE ADVISOR**

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## **Implications Of Closing The 'Carried-Interest Loophole'**

Politicians from both major political parties tout closing the "carried-interest loophole" as a primary aspect of their tax reform agendas. Carried-interest legislation, if enacted, would impose questions and challenges not only on private equity firms and their advisers, but on a wide array of businesses, says Robert Starin of K&L Gates LLP.

## **LEGAL INDUSTRY**

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## **GC Cheat Sheet: The Hottest Corporate News Of The Week**

The U.S. Department of Labor's fiduciary rule lives to see another day, a general counsel whistleblower has an \$8 million payday, and Republicans detail their plan to

rework Dodd-Frank as European Union officials discourage rollbacks. Those stories top the corporate legal news you may have missed this past week.

### **Dewey Retrial Inches Forward As Juror Troubles Continue**

The fraud retrial of two former Dewey & LeBoeuf LLP executives is off to a slow start after hitting a juror-related roadblock on Friday, the second day of delay in the trial's first week.

### **In Case You Missed It: Hottest Firms and Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

#### **JOBS**

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#### **LAW FIRMS**

Covington & Burling  
Hunton & Williams  
Dewey & LeBoeuf  
K&L Gates  
Perkins Coie  
Akin Gump  
Arnall Golden  
Babst Calland  
Balch & Bingham  
Ballard Spahr  
Bick Law LLP  
Bradley  
Chiesa Shahinian  
Clark & Washington  
Cohen & Gresser  
Davis & Gilbert  
Foley & Lardner  
Gibson Dunn  
Golenbock Eiseman  
Haynes and Boone  
Holland & Knight  
Jones Day  
Kessler Topaz  
King & Spalding  
Kirkland & Ellis  
Labaton Sucharow  
Latham & Watkins  
Manatt Phelps  
Mayer Brown  
McKool Smith  
MoloLamken LLP  
Morgan Lewis  
Ogletree Deakins  
Proskauer Rose  
Reed Smith  
Richards Layton  
Sanford Heisler



Seward & Kissel  
Sidley Austin  
Skadden  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Stroock & Stroock  
The Finley Firm PC  
Thompson & Knight  
White & Case  
Wiley Rein  
WilmerHale

## COMPANIES

AT&T Inc.  
Twitter Inc.  
Verizon Communications  
Goldman Sachs Group Inc.  
Aetna Inc.  
Amazon.com Inc.  
America Fujikura Ltd.  
America's Essential Hospitals  
America's Health Insurance Plans  
American Cable Association  
American Federation of Labor and Congress of Industrial Organizations  
American Health Care Association  
American Petroleum Institute Inc.  
Apple Inc.  
Calpine Corporation  
Charter Communications Inc.  
D-Link Corporation  
DISH Network Corporation  
ERM Group Inc.  
Elevate Services Inc.  
Exelon Corporation  
Financial Industry Regulatory Authority Inc.  
Generic Pharmaceutical Association Inc.  
Google Inc.  
Herbalife Ltd.  
Humana Inc.  
KBW, Inc.  
LifeLock Inc.  
Mobilitie LLC  
Murray Energy Corp.  
National Association of Broadcasters  
National Restaurant Association  
National Telephone Cooperative Association  
New York Times Co.  
Planned Parenthood Federation  
Pom Wonderful LLC  
Public Company Accounting Oversight Board  
Redflex Traffic Systems

Reed Elsevier  
The Boeing Company  
The Western Union Company  
Trump Organization Inc.  
Uber Technologies Inc.  
Vizio Inc.  
Volkswagen  
Wells Fargo & Co.  
Wyndham Worldwide Corporation

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
Federal Communications Commission  
U.S. Supreme Court  
U.S. Department of Homeland Security  
U.S. Department of Health and Human Services  
U.S. Environmental Protection Agency  
Central Intelligence Agency  
Consumer Financial Protection Bureau  
Federal Reserve System  
Securities and Exchange Commission  
U.S. Department of Labor  
Bureau of Land Management  
Government Accountability Office  
Internal Revenue Service  
U.S. Department of Defense  
U.S. Department of the Interior  
U.S. Senate  
United Nations  
California Department of Justice  
Centers for Medicare & Medicaid Services  
Equal Employment Opportunity Commission  
European Commission  
Export-Import Bank of the United States  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Federal Trade Commission  
Food and Drug Administration  
Immigration and Customs Enforcement  
Los Angeles World Airports  
Montana Legislature  
Municipal Securities Rulemaking Board  
National Aeronautics and Space Administration  
National Economic Council  
National Labor Relations Board  
New Jersey Department of Transportation  
New Jersey Department of Treasury  
New York City Department of Health and Mental Hygiene  
Office of the Federal Register  
Pennsylvania General Assembly

Pennsylvania Supreme Court  
Small Business Administration  
U.S. Attorney's Office  
U.S. Census Bureau  
U.S. Customs and Border Protection  
U.S. Office Of Special Counsel  
U.S. Secret Service

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CLV000450

**To:** Carolyn Levering[clevering@LasVegasNevada.GOV]  
**Cc:** Lora Kalkman[lkalkman@LasVegasNevada.GOV]  
**From:** Carolyn G. Goodman  
**Sent:** Mon 4/11/2016 7:31:42 PM  
**Subject:** FW: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Are you aware of this individual and any suggested response.



**CAROLYN G. GOODMAN, MAYOR**

Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

*City Hall is closed on Fridays*

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**From:** act@preactdontreact.com [mailto:act@preactdontreact.com]  
**Sent:** Friday, April 08, 2016 3:15 PM  
**To:** Carolyn G. Goodman  
**Subject:** PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

The Honorable Mayor Carolyn Goodman:

I am contacting you concerning the information on terrorism below. Due to 2 incidents in Las Vegas and my familiarity with terrorism, I sent the email below to a Las Vegas commander, and have since contacted other commanders, corporate, and a Las Vegas politician with my concerns. Unfortunately, the response was as inadequate as the response the FBI agents, civilians, and well known individuals experienced when warning top DC officials about 9/11. This is why I and others are so reluctant to contact authorities concerning the issue, and specifically why I hesitated to contact the Las Vegas commander with my original warning (due to what I witnessed in Las Vegas). If it were not for the fact so many EU, Australian, Chinese, and Indian friends/kids that I know visit Las Vegas I would just ignore the situation and let it happen and then say I told you so to the media. (I am also covering myself by having proof that I did warn every authority responsible for public safety in Las Vegas, the US, and abroad.) I assure the situation is far worse than you know, and I would not underestimate it or the ruthlessness of the enemy. They have already picked out their targets and made their decision to carry out their missions no matter what. They will have to be physically stopped by and aggressive and competent campaign led by competent and aggressive law enforcement/intelligence officers.

Due to the seriousness of the situation, my ties to the EU, Australia, and other countries, I have warned Ministers that I have had previous contact with and others this week concerning issuing a travel warning to their citizens. I have not mentioned the city of concern, however as of next week I may have to. I do not want to get involved in the situation at all, I like 3 other top terrorist experts are fed up with the incompetence and politicizing of terrorism that has led to the disastrous attacks from 9/11, Paris, San Bernardino, and now Brussels. (The experts are former Clinton & Bush terrorism expert Richard Clark, former CIA agent/CNN consultant Bob Baer, and former Bin Laden desk Chief Michael Scheuer.) We have all reached this point due our being completely correct in our forecasts and strategies for addressing terrorist threats, and the individuals and entities that were listened to being dead wrong each and every time. An audit of my record on forecasting terrorist trends and events to be irrefutably accurate, and an audit of the "experts" to be irrefutably inaccurate.

The individuals that are sought after to address terrorism in the US by the government and media are not actually experts—are you aware of that? If you are counting on US or local counter terrorism officials to save Las Vegas—I would stock up on body bags, you're going to need them.

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Those responsible for anti-terrorism measures in Las Vegas and the US as a whole have no idea what they are up against, nor do they have a clue as to how to negate the threat—hence why ISIS/Al Qaeda continue to beat them to the punch.

#### **EXAMPLES:**

—The only people that did not know that Ms. Prouty a terrorist mole were the Directors of the FBI and CIA (literally) that fought over her and gave her the highest awards the agencies

has [https://www.justice.gov/archive/opa/pr/2007/November/07\\_nsd\\_910.html](https://www.justice.gov/archive/opa/pr/2007/November/07_nsd_910.html)

<http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>. There are a lot more Nada Prouty's in the US committing the same act. Ms. Prouty proves a Middle Easterner cannot be vetted, there are many just like her in the US that have US passports, driver's licenses, and they are in no way who the government thinks they are right down to the names on those documents.

—This terrorist pioneer lived 2 miles down the road from me [http://articles.chicagotribune.com/1985-06-19/news/8502090070\\_1\\_lebanon-david-berry-nabih-berri](http://articles.chicagotribune.com/1985-06-19/news/8502090070_1_lebanon-david-berry-nabih-berri)

I grew up here and know or have met all of the people connected to this issue and I assure you the situation is far worse than is suspected by authorities. I have met and talked to many of the individuals responsible for stopping these terrorists, and trust me—the terrorists are far ahead of the opposition.

[http://www.mlive.com/news/detroit/index.ssf/2014/08/report\\_more\\_residents\\_in\\_dearb.html](http://www.mlive.com/news/detroit/index.ssf/2014/08/report_more_residents_in_dearb.html)

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=plane+terrorism+dearborn+>

#### **LAS VEGAS CONNECTION**

<http://www.wxyz.com/news/local-news/investigations/happys-pizza-headquarters-raided-by-irs-criminal-division-dea> (Las Vegas has a franchise and a lot more connections to Detroit/Dearborn than you likely are aware of. It is a case of this <https://www.youtube.com/watch?v=JcZHSGyos6g>)

I have talked with the founders of this business several times and this case was strictly about terrorist funding as in this case [http://www.mlive.com/lansing-news/index.ssf/2011/12/report\\_several\\_southeast\\_michi.html](http://www.mlive.com/lansing-news/index.ssf/2011/12/report_several_southeast_michi.html).

In closing, my original warning should have been ran to ground, the fact that it wasn't is proof of just how off and far behind Las Vegas is in addressing Paris and Brussels style attacks (this week every Minister from every foreign country I contacted responded with a phone call or/and email seeking further information because they now *"get it"*.) To be direct, authorities in Las Vegas and the US have their heads in the sands regarding the issue of terrorism and must change their strategy and tactics while they still have a chance to do so. With Las Vegas having the worst inherent terrorist vulnerabilities of any major city, Las Vegas should be much more precise and aggressive in avoiding such an attack (which is possible). An attack in the manner that I have forecast would dwarf the Paris body count by a minimum of X5, however it will be worse. The intelligence, physical security, and counter measures of Las Vegas are an invitation for an attack, and the terrorist know all of the cities vulnerabilities as well as I do.

No casino pit boss, dealer, etc. could have the record of the anti-terrorism leadership and still be employed in Las Vegas, it is the equivalent to them *"losing"* track of a million dollars every day for a year and the casino owners and Gaming Control Board accepting any explanation he came up with as legitimate. This would never happen. The see something say something just does not work as Brussels, Paris, and San Bernardino prove with the number of people that knew and didn't talk for various reasons. The #1 reason is that people simply have no confidence in authorities taking proper action. Examine my experience with the issue, each time I am putting my life and business life in danger by even contacting authorities in Las Vegas, and not once has anyone so much as responded or asked me how and why I

CLV000452

reached the conclusions I have reached. This is a mirror of the warning by James Woods cited below regarding 9/11—it all could have and should have been ended right then and there. The mindset of law enforcement/political leadership on the municipal level must change, at the end of the day the battle and ramifications are like all politics—local.

As you know the odds always catch up, and luck runs out. Vegas' luck is about to run out in the worst of ways. If you would like the scenario I war gamed, I will forward it upon your request.

Thank you and good luck—

Sincerely,  
Jerome Almon  
[REDACTED]

#### **EMAIL TO LV COMMANDER**

----- Original Message -----

Subject: INFORMATION ON SAFETY ISSUES—LAS VEGAS

From: <[info@thecountermedia.com](mailto:info@thecountermedia.com)>

Date: Sat, May 17, 2014 1:02 pm

To: [ted@tedmoody.com](mailto:ted@tedmoody.com)

Sheriff Moody:

Thank you for your response and time regarding the issues below:

#### **1)THE TERRORISM ISSUE:**

As you are certainly aware of, Al Qaeda has Las Vegas as one of its top 5 main targets, specifically the Strip. I am certain that the area has been scouted and targets selected based on my experience in the area and my observations of individuals and groups while in Las Vegas. They will hit what is most familiar with them, and Las Vegas is very familiar to them. (For example the mastermind behind 911 graduated from the University of North Carolina <http://edition.cnn.com/2002/US/South/12/19/al.qaeda.aggie/> .

#### **ACTIONS THAT WILL BE TAKEN BY TERRORIST:**

A) <http://newyork.cbslocal.com/2014/03/19/al-qaeda-magazine-calls-for-car-bombings-in-u-s-new-york>

B) <http://www.cnn.com/2013/09/18/world/asia/mumbai-terror-attacks/>

#### **RECOMMENDED COUNTER MEASURES:**

A) Special response teams will not get to the site in time, and must be in place PRIOR to any incident in the immediate area.

B) *CONTAIN AND KILL*—officers must be prepared to neutralize the terrorist at the point of attack, i.e. the attacker cannot be allowed out of the building, off the block, or off the side of the street where they attacked (Las Vegas Blvd is a perfect kill zone for a terrorist due to its geography, such as the inability to cross the Strip in certain areas combined with the natural traffic volume.) Point blank, these are the same individuals and groups that Delta Force, Navy SEALs, Army Rangers, Airforce Commandos, and Marine RECON/special forces faced on the battlefields of Iraq and Afghanistan—they

CLV000453

are not to be underestimated. (Essentially they are Islamic special forces.) They are going to attack sooner than later. C) Las Vegas should have its own anti-terrorism unit on the level of the NYPD's anti-terrorism unit, NYC learned its lesson the hard way 911-YOU CANNOT DEPEND ON THE FEDERAL GOVERNMENT TO PROTECT YOUR CITY. As you will see in the information from the Canadian CIA (CSIS) and the response to that information from both that unit and myself, the federal authorities are grossly out of touch with reality regarding terrorism.

- <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>

- <http://www.nydailynews.com/news/world/fbi-appalled-cia-veterans-defense-agent-nada-nadim-prouty-lies-article-1.258534>

- <http://pamelageller.com/2007/12/hezbo-mole-crack.html/>

I assure you this is not close to the worst.

I am well versed in this area as you will see due to my studies/duties as a university guest lecturer, and personal experiences however most of my experience is first hand. I left college and joined the US Army, several individuals that I attended college with left college and joined our enemy and did fight against the US in numerous war zones around the world. These individuals are supported by groups in America, and know the country as well as you and I do.

### **TSA NOT TO BE DEPENDED ON**

[http://www.huffingtonpost.com/2013/12/23/airport-security\\_n\\_4494308.html](http://www.huffingtonpost.com/2013/12/23/airport-security_n_4494308.html)

<http://www.cbsnews.com/news/u-s-border-patrol-has-a-sex-abuse-problem-says-whistleblower/>

(Morale within the agency is as low as its competence-my letter warning of issue.)

**30 MARCH 2009**

Secretary Janet Napolitano  
Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

Secretary Napolitano-

I am writing you concerning a pervasive and unacceptable sanctioned policy within the Department of Homeland Security of the sexual harassment of female traveler's entering the United States. I have been informed by numerous female travelers coming to visit me in the United States from Norway, Germany, and especially Canada that they are routinely harassed by male DHS inspectors. I find the allegations completely credible due to the carbon copy stories from the females, and the profile of the females- all attractive teen or near teen girls traveling alone. The harassment is so overt that it is impossible that supervisors are not aware of it, do not witness it, and in fact sanction it.

I have a substantial amount of both academic and field study experience in this area, and have personally witnessed the practice by DHS employees myself. This should be addressed in the open without hesitation. It is insulting to the female travelers, and also opens up US females to the retaliatory actions by the security personnel of other countries- which I assure has happened. Certainly with all the alleged dangers facing Americans and the gaping holes in

CLV000454

border security at the various ports of entry, DHS does not have the luxury expending valuable energy and tax payers money on sexually harassing female travelers.

I thank you for your time and consideration and will await your reply.

Sincerely,

Jerome Almon

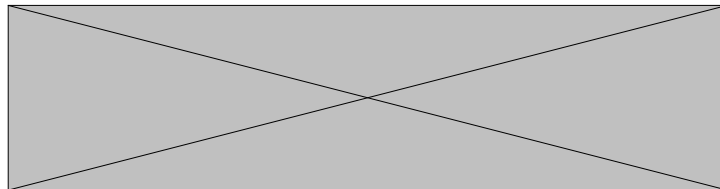
----- Original Message -----

Subject: Re: DHS RAPE/MURDERS-SCHOOL SHOOTINGS

From: "Senator Debbie Stabenow" <[senator@stabenow.senate.gov](mailto:senator@stabenow.senate.gov)>

Date: Wed, December 23, 2015 11:48 am

To: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>



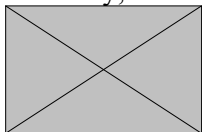
Dear Jerome,

Thank you for contacting me about the reports of sexual misconduct and abuse by U.S. Customs and Border Protection agents. I appreciate that you have taken the time to communicate your views and concerns with me.

I share your concern about this issue. Should related legislation come before the U.S. Senate for a vote, I will keep your views in mind, and share your thoughts on this issue with my colleagues who serve on the Senate Homeland Security and Governmental Affairs Committee.

Thank you again for contacting me. Please continue to keep me informed about issues of concern to you and your family.

Sincerely,



Debbie Stabenow  
United States Senator

U.S. Senator Debbie Stabenow  
The United States Senate • Washington, DC 20510  
[stabenow.senate.gov](http://stabenow.senate.gov)

**POLICE NOT EQUIPPED FOR TERROR ATTACK IN NYC-OR ANYWHERE ELSE**

<http://observer.com/2015/11/sergeants-union-boss-nypd-patrol-cops-not-ready-for-paris-style-terror-attack/>

CLV000455



## 9/11 WARNINGS IGNORED BY AUTHORITIES

<http://www.wnd.com/2006/03/35348/>

<http://www.newsweek.com/saudi-arabia-911-cia-344693>

<http://truth-out.org/archive/component/k2/item/61531:fbi-agent-says-he-warned-of-911-hijackings>

[http://www.democracynow.org/2004/4/9/two\\_fbi\\_whistleblowers\\_accuse\\_bureau\\_of](http://www.democracynow.org/2004/4/9/two_fbi_whistleblowers_accuse_bureau_of)

<http://www.cbsnews.com/news/fbi-was-warned-about-flight-schools/>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=fbi%20agent%20warning%20911>

## WHAT IS NOW DHS AND NYC WERE WARNED AT THE SAME TIME OF THE THREAT AND ONLY ACTED AFTER MY FORECAST CAME TRUE

----- Forwarded Message -----

**From:** "WEB.COMMENTS@customs.treas.gov" <[WEB.COMMENTS@customs.treas.gov](mailto:WEB.COMMENTS@customs.treas.gov)>  
**To:** [REDACTED]  
**Sent:** Thursday, September 20, 2001 9:40 AM  
**Subject:** Detroit/Windsor security/GYR

Thanks for your message. I am forwarding it onto the Security Team for investigation.

Customs/GYR

[REDACTED] (Jerome Almon)  
09/14/01 03:54 PM

To: [web.comments@customs.treas.gov](mailto:web.comments@customs.treas.gov), [technical@customs.treas.gov](mailto:technical@customs.treas.gov)  
cc:  
Subject: U.S. Customs Website Comment.

Below is the result of your feedback form. It was submitted by  
Jerome Almo [REDACTED] [\[REDACTED\].com](mailto:[REDACTED].com)) on Friday, September 14, 2001 at 15:54:31

-----  
email [REDACTED] [\[REDACTED\].com](mailto:[REDACTED].com)

subject-of-this-message: Detroit/Windsor Security

website\_comments: I have had previous contacts with your office issues (specifically Bonnie Tischler). I feel it is necessary to reintroduce this information ( I will send a copy of this information to US Senator Carl Levin.) I have made compliants against certain procedures and individuals at the Detroit/Windsor border crossing. I also corresponded with the Canadian Minister for Immigration (Elinor Caplan) concerning the fact that even the supervisors at the Canadian border do not understand much of the information they need to concerning legitimate vs. false documentation. (I unfortunately am able to prove this point.) Meaning if say a person was on a wanted list -the Canadians often ask the person to interpret the information. Finally the Detroit/Windsor tunnel. It is a disaster waiting to happen. Since the US checks cars

CLV000456

AFTER they have entered the tunnel (as does Canada) -doesn't that defeat the objective of stopping a terrorist act in the tunnel? The check should happen before the tunnel is entered, and after-or the tunnel should be closed.

-----  
REMOTE\_ADDR: 24.131.62.95  
HTTP\_USER\_AGENT: Mozilla/4.0 (compatible; MSIE 5.0; Windows NT; DigExt)

I originally warned a agent at a federal law enforcement entity of the threat on 9/11 and although he agreed I was correct, he took no action, stating he didn't exactly know what to do regarding the information, and that he was quite frankly stunned at the danger. Only when an individual drove through the tunnel with what appeared to be a bomb on his front seat did the politicians take the matter up, as you will see with NYC. The tunnel is in a far worse position than it was on 9/11 due to Detroit's economic collapse, the influx of more Middle Easterners into Canada, and this <http://www.reuters.com/article/us-detroit-tunnel-bankruptcy-idUSBRE96O0RT20130725>.

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Tighter security at border hits snag

Legal issues may block U.S., Canada checks before crossing

By Lisa Zagaroli / Detroit News Washington Bureau

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WASHINGTON -- Checking travelers between the United States and Canada after they've crossed the border -- which some liken to checking airline passengers after they land -- is being scrutinized by officials concerned that bridges and tunnels could be vulnerable to attack. Lawmakers are pressuring the U.S. Customs Service and Canadian officials to come up with a decision this week on whether the countries can swap inspection locations.

An alternative to paying a toll, crossing the bridge or tunnel, and then being scrutinized by Customs officials once inside the other country's territory is to do inspections before crossing.

Although the reverse inspection system is the only solution being lobbied to enhance infrastructure safety, the two nations haven't agreed on how to settle legal obstacles. An old idea revived by the Sept. 11 terrorist attacks, a revised system would involve numerous agencies in both countries in the decision.

"This reverse clearance proposal has a number of sovereignty and structure issues attached to it," said Michel Proulx, spokesman for the Canada Customs and Revenue Agency in Ottawa.

"There are a lot of players involved in all of this. It's difficult to get a sound, concrete answer. No one department or agency would be able to say yes or no."

There's little to stop someone who wanted to damage the Ambassador Bridge, Detroit-Windsor Tunnel, or even Detroit Metropolitan Airport, if

CLV000457

the crime is done before the perpetrator even gets to an inspection point, critics say.

Besides the human safety concern, destroying any one of the border-crossing points would do serious harm to the auto industry, one of the United States' economic engines, and many other businesses that rely on just-in-time delivery of material. Michigan had \$70 billion in trade with Canada in 2000.

**"Every time I drive through that tunnel, I expect something to happen," said Jerome Almon, a Detroit resident who drives to and from Toronto at least twice a month.**

**"Osama bin Laden says the economy is what they want to attack, and you cannot find a more decimating effect than that bridge or tunnel on our economy. You will kill Detroit, it's over, goodbye. But think of the effect on the rest of America."**

Firearms an issue

Aside from jurisdiction, the question of whether U.S. Customs agents should carry firearms in Canada is of particular concern to Canadians. Canada is known for being much less tolerant of guns than the United States.

"Our Customs officers are not armed and at this point in time we still feel there is no reason for them to be," Proulx said.

"We have a study going on right now to determine whether the tools they have are adequate to do their jobs safely and with full security. The U.S. (agents) are (armed) and definitely that would be one of the snags in the issue."

The preclearance concept does have precedent. U.S. Customs agents inspect U.S.-bound passengers at six Canadian airports so they don't have to be routed through Customs once they arrive like travelers on flights from every other country, said former Michigan Gov. James Blanchard.

He spearheaded the "open skies" agreement when he was U.S. ambassador to Canada.

The real stumbling block to doing this at bridges and tunnels will be working out how much authority each side is given to enforce the other country's laws, he said.

"You could always prevent (a suspicious passenger) from getting on the plane," Blanchard said. "The question is who arrests them, can they say 'I choose not to fly' then go home, or do we hold them?"

Sen. Carl Levin, D-Detroit, said he thinks all of the issues can be worked out.

"The only impediment here is bureaucratic impediment," he said. "Even though there's supposed to be an urgency after Sept. 11, there seems to be some unnecessary foot-dragging."

Levin and Sen. Debbie Stabenow, D-Lansing, sent a letter to Customs Commissioner Robert Bonner on Jan. 4, insisting on a progress report by Friday.

"It is obvious that inspecting vehicles for dangerous contents such as bombs or explosives after they enter our tunnels or cross our bridges is inadequate," they wrote.

Customs spokesman Jim Michie said he wasn't sure when a decision would be made on reverse inspections, but that it was being closely studied.

#### Tighter local security

Local authorities say they've taken the steps they can to bolster security.

Travelers who use the Detroit-Windsor Tunnel are no longer allowed through unless operators are certain they can make to the other side without backups, said Gordon Jarvis, president of the Detroit & Canada Tunnel Corp.

"If there is an incident and you need to get out, there is space for you to do so, and there are fewer cars in the tunnel at any one time," Jarvis said. "It also makes it much easier for us to identify when there are incidents in the tunnel."

Jarvis said reverse inspections are a viable option at the tunnel, despite the smaller queue area, compared to other crossing points like the Ambassador Bridge.

The owners of the Ambassador Bridge have installed new lighting, fencing and surveillance cameras, as well as armed security 24 hours a day, said Dan Stamper, president of the Detroit International Bridge Co. Stamper said the bridge company is paying for the extra security.

"We're not sure whose responsibility it is for the cost of security, but we are not in the position to say it's not going to be done," he said.

The bridge authority has completed plans showing that logistically, preclearance can be implemented on an interim basis within 90 days, Stamper said. In doing so, there would be the added bonus of huge efficiencies in traffic flow.

"The current six lanes that cross the border, two at the tunnel and four at the bridge, become traffic lanes and not parking lots," Stamper said. "It increases the capacity of both the tunnel and the bridge, a lot more than anything else we can do today."

#### Blue Water Bridge study

Bruce Campbell, the engineer manager of the Blue Water Bridge, said the proposal is being examined as part of a long-term security review of the span connecting Port Huron with Sarnia, Ontario.

With the Ambassador Bridge being the busiest U.S.-Canada entry point, carrying 12 million vehicles a year, the economic implications for the region are enormous.

"One 18-wheeler goes across that bridge every eight seconds," said Carmine Palombo, director of transportation planning at the Southeast Michigan Council of Governments.

The implications for the bridge and tunnel operators are significant as well.

"They're all looking at an out-of-pocket expense they hadn't anticipated," said Neil Gray, director of government affairs at the International Bridge, Tunnel and Turnpike Association, which represents toll agencies.

"Nobody wants to do a toll increase to reflect this, in fact I'm not

sure anyone has proposed one, but it's an issue we are all having to think about."

Protecting airports is a concern as well, though most of the attention has been on protecting aircraft against air piracy, Capt. Duane E. Woerth, president of the Air Line Pilots Association, told senators late last year.

Noting that airports in Rome and Vienna have been hit, Woerth said he's worried terrorists could attack ticket counters, check-in facilities and lines of passengers waiting outside.

Airlines, bridges and tunnels are experiencing lower traffic flow because of leisure travelers concerned about terrorist risks.

**Almon, the Detroit resident who travels to Toronto on business, said he's a former combat engineer with the Army and he's concerned about how easily a carload of explosives put together with store-bought material could take out the bridge or tunnel.**

**"At the mouth of the Detroit tunnel sits General Motors headquarters, a terrorist would get two for one with that," Almon said.**

<http://www.dailymail.co.uk/news/article-1334404/US-subway-tunnels-terror-proof-600m-ring-steel.html>  
<http://nypost.com/2010/11/30/path-tunnels-get-600m-ring-of-steel/>

<http://www.cbc.ca/news/canada/windsor/story/2012/07/12/wdr-windsor-detroit-tunnel-closed.html>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=bomb%20in%20detroit%20windsor%20tunnel>

Ahmed Ressam, the Millennium bomber had the Detroit-Windsor tunnel, GM HQ, and the Ambassador Bridge as his secondary targets if he could not reach LAX. Had he chosen either, he would have been 100% successful and 9/11 would not be close to America's worst terrorist attack. <https://www.fbi.gov/about-us/history/famous-cases/millennium-plot-ahmed-ressam>

**THIS EMAIL WAS THE RESULT OF ONE OF NUMEROUS SECURITY WARNINGS I SENT TO THE CANADIANS COMING TRUE AND THE US SECURITY AND POLITICAL AUTHORITIES NOT UNDERSTANDING THE IMMINENT DANGER**

From: Minister of Transport, Infrastructure and Communities / Ministre des Transports, de l'infrastructure et des Collectivités <[MINTC@tc.gc.ca](mailto:MINTC@tc.gc.ca)>

Date: Thu, Oct 13, 2011 at 1:24 PM

Subject: Proposed construction of a new bridge

To: "[almonjer@gmail.com](mailto:almonjer@gmail.com)" <[almonjer@gmail.com](mailto:almonjer@gmail.com)>

Cc: "[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)" <[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)>

Dear Mr. Almon:

Thank you for your correspondence of July 18, 2011, regarding the proposed construction of a new bridge between Detroit and Windsor. Please accept my apologies for the delay in replying.

CLV000460

Again, thank you for writing and for providing me with your comments.

Yours sincerely,

Denis Lebel, P.C., M.P.

c.c. Office of the Right Honourable Stephen Harper, P.C., M.P.  
Prime Minister

The issue with the Ambassador Bridge is equally troubled, the owner has successfully blocked a new bridge being built. The issue too closely resembles the Dubai Ports issue [https://en.wikipedia.org/wiki/Manuel\\_Moroun](https://en.wikipedia.org/wiki/Manuel_Moroun). Ottawa wrote me 90 days after my warning to CYA and because again what I warned them about occurred.

The largest portion of the trade comes through the tunnel and bridge mentioned <https://www.commerce.gov/news/blog/2014/01/secretary-pritzker-highlights-strong-economic-partnership-between-usa-and-canada>

#### **PARIS-SAN BERNARDINO-BRUSSELS**

----- Original Message -----

Subject: RE: JEROME FROM WAYNE STATE UNIVERSITY

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Wed, October 21, 2015 11:44 am

To: "Mitja\_Žagar" <[mitja.zagar@guest.arnes.si](mailto:mitja.zagar@guest.arnes.si)>

Dr. Zagar-

Good to hear from you. I am sorry I just got to my email messages, I am working on several other huge projects that all come back to the migrant issue. I will have to hook up Skype, I don't know how it works to be honest.

The situation in the States is pretty dire. We are essentially at civil war with the country collapsing socially. All of the work that you and Dr. Feinstein did and your forecasts turned out to be 100% accurate. Simply put, America bet on the wrong people with the wrong plans and now we are getting our comeuppance.

I am against the re-settling of immigrants in the US or Europe, it will most certainly lead to more conflict in both areas and the Middle East. The only hope is establishing a safe zone in Syria and Iraq, which is as close to impossible as it gets considering the collapse of the basic structures and the radicalization of the factions. Electing George Bush was the worse event that has happened to

CLV000461

the world since WWII. I will get on Skype and send you another email asap. I am moving to Berlin to work on a large social media project in the next 30–60 days. In the meantime I am sending these articles for your review concern my thoughts on the migrant issue. Would you be able to attend a conference on the issue of the migrants and school shooter issues in Europe or the US with all expenses and a fee paid to you?

The other issue I am extremely concerned about is a threat that would end Detroit, cost America 2 million jobs in a week, and plunge the stock market to below 2008 and 911 levels. The Iran deal was done in part due to Iran has 40,000 agents in or at America's borders prepared to attack if Iran's nuclear facilities were attacked. That is the good news, the bad news is the Sunnis have 3X that many agents in the US and are preparing for their "Islamic Tet offensive." With Russia, out of necessity intervening in the Syrian/Iraq war and the US govt. giving behind the scenes approval for the Russian–Iranian–Alawite axis which will inevitably bring in Israel and the US the Sunnis will go after the US and Canadians on their own soil in a much more aggressive and massive way. My assessment is that the Chinese will be drawn into the war due the unrest with the Xinjiang Province and the Uighars. The Islamic State (IS) has spread throughout Central Asia and will take Afghanistan and defeat the Taliban in the end unless there is a "mass war event." It is my contention that Putin has decided to that. He cannot lose the Syrian–Iraq War, he cannot allow the IS to continue to grow in the Central Asian Republics, and Afghanistan, and he is not giving up Crimea, and does not have the military resources nor money to fight a prolonged war. I believe Putin is planning to use a tactical/battle field nuclear weapon (NATO appears to be thinking that way on the Ukraine which is insane). Most of the intelligence guys that I respect believe that is the only way to stop the IS/Sunnis or to completely withdraw from the Middle East. What is your opinion?

Thanks–

Jerome

(My numbers on the size of the networks mentioned are accurate I assure you. 2 other respected security/intelligence officers that have a proven track record of accuracy, agree with me. The messages I sent to US authorities were more detailed and were sent in the Spring of 2014, and the Spring and Summer of 2015.)

#### **DR. ZAGAR BIO**

#### **CV**

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=mitja%20zagar%20cv>

#### **INTERVIEW**

[http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h\\_b\\_7620756.html](http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h_b_7620756.html)

CLV000462

## **PUTIN STATEMENT ON NUCLEAR WEAPONS**

<http://www.express.co.uk/news/world/625465/Islamic-State-Russia-Vladimir-Putin-threatens-bomb-ISIS-nuclear-weapons>

## **WARNING TO AIRLINE INDUSTRY THAT FORESAW BRUSSELS ATTACK**

----- Original Message -----

Subject: THE THREAT OF TERRORISM TO THE TRAVEL INDUSTRY AND CORRECTIONS  
THAT MUST BE MADE

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Sun, November 29, 2015 7:59 pm

To: [president@apfa.org](mailto:president@apfa.org), [Nancy.Rivard@airlineamb.org](mailto:Nancy.Rivard@airlineamb.org),  
[public-comment@alliedpilots.org](mailto:public-comment@alliedpilots.org), [PMcIsaac@americanpilots.org](mailto:PMcIsaac@americanpilots.org),  
[comm.chair@alliedpilots.org](mailto:comm.chair@alliedpilots.org)

Cc: [communications@apfa.org](mailto:communications@apfa.org)

Sir or Madam: I am forwarding the following information sent to first responders, due to its application to your industry. To be direct, I have warned your union several times since 9/11 of these very threats, and the actions of the leadership has not matched the threat. Unfortunately, this is the same conduct of law enforcement and political leadership regarding what is now a catastrophic situation. That is, the industry will suffer huge losses in both personnel and revenue due to the lack of taking prudent steps to pre-act rather than react to obvious threats. The only hope in negating or minimizing the threat is for the travel, hotel, and tourism industries along with the pilot and flight attendant unions (and their allies) to join forces and seek to have necessary security and industry support measures put in place without political consideration. The needed measures must be completely based on the real world security and economic threat that exists, and is getting worse by the minute. The losses France and Belgium are suffering are just the beginning, and minor in compared to an Egypt Air or Russian Sharm El Sheikh incident in North America or Europe. I assure you, the threat is far worse than is known even to most of the law enforcement community.

Sincerely,

Jerome Almon

**ECONOMIC IMPACT**

CLV000463



<http://www.dailymail.co.uk/news/article-3338173/Terror-attacks-Paris-means-visitor-numbers-Europe-tumble-France-lost-1-4bn-tourism-revenue.html>

<http://www.dailymail.co.uk/news/article-3338512/EU-leaders-agree-Turkey-2-1-billion-help-tackle-migrant-crisis-tighten-security-borders.html>

### **UNADDRESSED THREATS TO YOUR INDUSTRY**

–Foreign pilots compromised by ISIS or Al Qaeda committing an act similar to the pilot of Egypt Air 990 at an airport, city, or against another passenger airliner –An attack on airports using car/truck bombs and suicide bombers/shooters against shuttle buses and the non-secure areas of the airport such as ticketing –Compromised airport personnel (this is worse than is indicated here)

<http://www.nydailynews.com/news/world/isis-terrorist-minneapolis-worked-major-american-airport-report-article-1.1925924>

<http://www.express.co.uk/news/world/622702/easyJet-Paris-attacks-France>

<https://www.rt.com/news/323811-paris-airports-fired-radicalization/>

### **TRUE STATE OF THE TERRORIST THREAT IN AMERICA**

From Canada's CIA (CSIS):

*"Many Canadians may be surprised to learn that, with the exception of the United States, there are more terrorist groups active in Canada today than in any other country in the world."*

### **VERIFICATION**

<http://www.torontosun.com/2013/01/23/algerian-terrorists-had-canadian-ties-eh>

The information was removed from the website in late 2013 due to White House protests, the largest number of these terrorist are at the South end and North end of the tunnel and bridge cited below.

### **THESE REPORTS ARE FICTION**

<http://www.cnn.com/2015/12/01/politics/isis-in-united-states-research/>

<http://www.foxnews.com/world/2016/03/23/is-trains-400-fighters-to-attack-europe-in-wave-bloodshed.html>

There are more than 400 ISIS operatives and 300 recruiters in my neighborhood. As with

CLV000464

the deliberate ignoring of the 9/11 warnings, these non-scientific reports will result in the deaths of untold numbers of civilians.

#### **ISIS INTELLIGENCE FRAUD**

<http://www.cnn.com/2015/12/01/politics/michael-flynn-obama-isis/>

<http://www.thedailybeast.com/articles/2016/04/03/intel-analysts-we-were-punished-for-telling-the-truth-about-obama-s-isis-war.html>

[http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?\\_r=0](http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?_r=0)

This failure to provide and act on the factual information regarding ISIS has led to every death of Westerners from 2012 forward– at least including Paris and Brussels. It also has American cities in the disastrous position they are in.

#### **BND WARNING TO GERMAN CHANCELLOR ANGELA MERKEL**

<http://www.dailymail.co.uk/news/article-3290092/Germany-s-secret-service-warns-country-importing-Islamic-extremism-anti-Semitism-people-s-ethnic-conflicts-different-understanding-society.html>

#### **NEW YEARS EVE RAPES/RAPES ACROSS EUROPE FROM REFUGEES**

<http://www.dailymail.co.uk/news/article-3388422/Huge-influx-migrant-men-lead-sex-attacks-like-Cologne-says-analyst-police-reveal-gangs-blocked-reaching-women-screamed-help.html>

#### **REFUGEE SUPPORTER AND MAYOR OF COLOGNE VICTIM AND HYPOCRITE**

#### **COLOGNE MAYOR FIRES POLICE CHIEF OVER NEW YEARS EVE RAPES**

<http://www.thelocal.de/20160108/po>

#### **COLOGNE MAYOR STABBED FOR SUPPORTING REFUGEES**

<http://www.thelocal.de/20151017/german-mayoral-candidate-stabbed-in-cologne>

## **ATTACKS ON REFUGEES IN GERMANY REACHES MORE THAN 1,000**

<http://www.dw.com/en/report-five-times-more-attacks-on-refugee-homes-in-germany-in-2015/a-19011109>

## **EU/AUSTRALIAN ISSUE**

<http://www.dailymail.co.uk/news/article-3291416/Google-defamed-Australian-woman-auto-complete.html>

<https://www.google.com/#filter=0&q=American,%20Australian,%20And%20European%20Group%20Calls%20For%20Shut%20Down%20Of%20Ripoff%20Report>

## **WE ARE NOW AT THE CENTER OF THIS CASE IN THE EU**

<http://www.wsj.com/articles/eu-to-pursue-google-parent-alphabet-on-multiple-fronts-vestager-says-1445817842>

## **RIPOFF REPORT IS THE BUSINESS AND ROLE MODEL FOR THESE CRIMINALS**

<http://www.nbcnews.com/news/crime-courts/revenge-porn-kingpin-hunter-moore-pleads-guilty-faces-jail-n313061>

<http://www.nbcsandiego.com/news/local/Kevin-Bollaert-Revenge-Porn-Sentencing-San-Diego-298603981.html>

[http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article\\_cce5e80f-786a-5f66-8763-3ecb30cadb71.html](http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article_cce5e80f-786a-5f66-8763-3ecb30cadb71.html)

On Fri, 10/20/06, [bayly@.de](mailto:bayly@.de) <[bayly@.de](mailto:bayly@.de)> wrote:

From: [bayly@.de](mailto:bayly@.de) <[bayly@w.de](mailto:bayly@w.de)>

Subject: FW: jerome almon

To: [REDACTED]

Date: Friday, October 20, 2006, 3:42 PM

hey jerome... how ru doing? well, received the following e-mail today.... tell me if i should give him the contacts he wants or if u wanna do it urself... my mom is here for 4 days.. been to jazz concert yesterday and will go to branford marsalis concert 2morrow... its jazz too.... and right now just got back from the adidas store... man i am adidicted ;) cant go there without buying smth... even when i am broke just like right now... well, hope to hear from u...

CLV000466

(I refused to do the documentary below for the same reasons certain entities need to police themselves better.)

Von: "scott corben"

Gesendet: 20.10.06 12:41:27

An: [bayly@.de](mailto:bayly@.de)

Betreff: jerome almon

Hi Katja,

I got your contact details from Marie at Freemuse in Denmark. My name is Scott Corben and I am a producer with Al Jazeera Television in London.

I am researching a piece on soldier in the United States and I am really keen to speak to a guy called Jerome Almon. I believe he is based in Detroit. Maries tells me that you may have some way of contacting him. If you have an up to date email or phone number I'd really appreciate it.

Look forward to hearing from you

best regards,

Scott

Producer/Director "Top Secret"  
Al-Jazeera Satellite Channel Ltd  
7th Floor Westminster Tower  
3 Albert Embankment London SE1 7SL  
Switchboard: [+44 \(0\) 207 820 4820](tel:+442078204820)  
Fax: [++44 \(0\) 207 820](tel:+44207820)

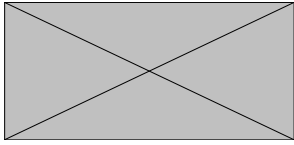
### **BIO**

-I am a university lecturer/expert on domestic violence, international politics, terrorism, and urban crime. I worked under global experts Dr.'s Mitja Zagar (Slovenia and co-author of their Constitution/Syrian refugee & security expert/Top EU negotiator), Otto Feinstein head of the Urban Agenda and author of Ethno-Development, Richard Mansbach-CIA consultant, and worked on the UN project at the University of Toronto the Delphi Project out of Belgium. Recommendation on a security issue led to DHS changing its border policy and NYC spending \$600 million to correct a catastrophic security flaw. I have been the target of an Al Jazeera documentary due to my correct predictions as well as featured on the front page of the most visited Jihadist website on Earth for a decade.

CLV000467

-1 year tour in the first Iraq War, am a paratrooper, combat engineer (explosives expert, featured on A&E for saving my unit's mission during combat, and awarded directly from the Pentagon for saving my task force's mission), was drafted as a translator during the war and POW camp designer, taught my brigade basic Arabic language, numerals, and history.

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 3/22/2018 7:29:52 AM  
**Subject:** Congressional Leaders Agree To \$1.3T Long-Term Funding Bill



**PUBLIC POLICY.**

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**Thursday, March 22, 2018**

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## TOP NEWS

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### **Congressional Leaders Agree To \$1.3T Long-Term Funding Bill**

House and Senate leaders have reached an agreement Wednesday on federal spending for the next six months, kicking off a race to keep the government open ahead of a Friday funding deadline. [Read more »](#)

### **Skadden Atty Faces Few Questions In Bid For Posner's Seat**

Skadden partner Michael Y. Scudder Jr. and U.S. District Judge Amy J. St. Eve sailed through their confirmation hearing Wednesday for two Seventh Circuit spots, including one vacated by Richard Posner, answering questions from a handful of senators on the Senate Judiciary Committee. [Read more »](#)

### **US Poised To Strike Back At China For IP Malfeasance**

President Donald Trump on Thursday will unveil new trade restrictions against China in light of "strong evidence" the administration has uncovered regarding Beijing's flouting of U.S. companies' intellectual property rights, the White House announced on Wednesday. [Read more »](#)

### **Trump Dodges Watchdog's Suit Over Record-Keeping**

A Washington, D.C., federal judge on Tuesday tossed a watchdog group's lawsuit claiming President Donald Trump and his staff are failing to preserve statutorily mandated records through their use of messaging apps and social media, finding that the president is allowed to use his discretion in preserving records. [Read more »](#)

#### **Analysis**

### **High Court Criminal Tax Ruling Leaves Some Leeway For Feds**

A commanding majority on the U.S. Supreme Court bench refused to grant federal prosecutors a wider berth in trying allegedly criminal tax behavior, but the court's interpretation of a tax felony statute may still be vague enough to lead to convictions for lesser violations. [Read more »](#)

#### **Analysis**

### **Rollback Of Obama NLRB's Legacy Hits Speed Bump**

Allegations that National Labor Relations Board members are biased against unions or employers are nothing new and usually don't gain much traction, but the recent withdrawal of a landmark ruling because of perceived conflicts stemming from NLRB member Bill Emanuel's BigLaw background shows that such concerns may hamper the Trump NLRB's efforts to undo President Barack Obama's pro-labor legacy, experts say. [Read more »](#)

## ENERGY & ENVIRONMENTAL

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### **Chevron Concedes Climate Change, But Not Blame In SF Suit**

The California federal judge overseeing allegations that oil companies are liable for

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## LAW FIRMS

Akin Gump  
Altshuler Berzon  
Anderson Kill  
Arnold & Porter  
Baker McKenzie  
Bernabei & Kabat  
Boies Schiller  
Bressler Amery  
Bryant Miller  
Chamberlain Hrdlicka  
Cotchett Pitre  
Coudert Brothers  
Covington & Burling  
Davis Wright Tremaine  
Diamond McCarthy  
Eckert Seamans  
Foley & Lardner  
Gardere Wynne Sewell  
Gibson Dunn  
Goodwin  
Hagens Berman  
Hill & Ponton  
Jones Day  
Keker Van Nest & Peters  
King & Spalding  
Kirkland & Ellis  
Latham & Watkins  
Littler Mendelson  
Morgan Lewis  
Munger Tolles  
O'Melveny & Myers  
Orrick Herrington  
Passman & Jones  
Patterson Belknap

CLV000469

San Francisco and Oakland's global warming-related infrastructure costs heard a five-hour tutorial on climate science Wednesday, with both sides agreeing human activity contributes to global warming, while an attorney for Chevron said a handful of companies shouldn't take the heat. [Read more »](#)

### **Enviros Say They'll Sue Feds Over Inaction On Pesticide**

The Center for Biological Diversity sent a notice Tuesday informing two federal agencies that it intended to sue, alleging they aren't analyzing and moving to limit the impact of a common pesticide despite information that says it likely harms many protected species. [Read more »](#)

## **HEALTH & LIFE SCIENCES**

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### **House Passes 'Right To Try' Experimental Treatments Bill**

The House of Representatives passed a bill that would expand the "right to try" experimental treatments under current U.S. Food and Drug Administration rules Wednesday, as backers claim the measure may help save the lives of people with no other option. [Read more »](#)

## **MEDIA & ENTERTAINMENT**

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### **Trump Dossier Author Can Be Deposed In BuzzFeed Libel Suit**

A judge in England on Wednesday ordered former British spy Christopher Steele to answer questions regarding a dossier he compiled containing allegations Russia has compromising information on President Donald Trump, saying he can give limited testimony in a Russian billionaire's defamation suit against BuzzFeed in the United States. [Read more »](#)

### **Name Of Ex-US Atty In Affair Should Stay Private, DOJ Says**

The Manhattan U.S. Attorney's Office cited privacy concerns Wednesday in telling a judge that it should not be compelled to reveal the name of a retired U.S. attorney who engaged in a romantic relationship with a subordinate, after a news organization sued claiming the public has a right to know. [Read more »](#)

## **EMPLOYMENT**

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#### **Analysis**

### **Potential Minor League Wage Exemption Raises Eyebrows**

Congress may step in this week to put an end to Minor League Baseball players' wage-and-hour claims against Major League Baseball, but the timing of such legislation, which has been unsuccessful in the past, is raising some eyebrows. [Read more »](#)

### **House Dems Want DOL To Pull Tip Rule Over Missing Analysis**

Democrats on the U.S. House of Representatives work committee called on the U.S. Department of Labor to rescind its plan to let businesses redistribute some tipped workers' tips, following a report on Wednesday that the agency suppressed data showing the proposal would let businesses take \$640 million from workers. [Read more »](#)

#### **Analysis**

### **NJ Arbitration Measure On 'Collision Course' With Fed. Law**

Pending legislation in New Jersey aimed at banning nondisclosure agreements in cases of discrimination, retaliation or harassment also would preclude arbitration agreements in employment contracts, a move some attorneys and law professors said would run afoul of federal law and U.S. Supreme Court precedent that prohibit state efforts to forbid arbitration. [Read more »](#)

## **CYBERSECURITY & PRIVACY**

Paul Weiss  
Perkins Coie  
Reynolds Porter  
Schoenberg Finkel  
Seyfarth Shaw  
Skadden  
Smith Currie  
Smith Moore Leatherwood  
Stern & Kilcullen  
Susman Godfrey  
Taylor Wessing  
Troutman Sanders  
White and Williams

## **COMPANIES**

AT&T Inc.  
Abbott Laboratories  
Airbnb Inc.  
Amazon.com Inc.  
American Bankers Association  
American Cancer Society Inc.  
American Civil Liberties Union  
BP p.l.c.  
BuzzFeed Inc.  
Cable News Network Inc.  
Cato Institute  
Center for Biological Diversity Inc.  
Charter Communications Inc.  
Chevron Corporation  
Citizens for Responsibility and Ethics in Washington  
ConocoPhillips  
DISH Network Corporation  
District of Columbia Bar Association  
Dow Chemical Co.  
Electronic Frontier Foundation  
Exxon Mobil Corporation  
Facebook  
Fordham University  
Google Inc.  
Instagram Inc.  
International Union of Painters and Allied Trades  
Lambda Legal Defense & Educational Fund  
Los Angeles Clippers  
Los Angeles Lakers  
Lyft Inc.  
Major League Baseball Inc.  
Major League Baseball Players Association  
Microsoft Corporation

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## Sens. OK Bill Altering Websites' Liability For User Posts

The Senate on Wednesday passed a bill changing websites' liability shield for content that users post, allowing for law enforcement to go after sites that allegedly serve as platforms for sex trafficking and prostitution. [Read more »](#)

## OPM's Post-Breach Security Efforts Worry Lawmakers

House lawmakers expressed concern Tuesday that the U.S. Office of Personnel Management is still struggling to modernize its aging information technology systems three years after a sweeping breach compromised personal data belonging to tens of millions of people. [Read more »](#)

## MEDICAL MALPRACTICE

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## NC Panel Says School Board Immune From Negligence Claims

A North Carolina appeals court has ruled that a state board designated to hear negligence cases involving school buses does not have jurisdiction over claims made against school board officials by a man whose child was struck and killed while catching her bus. [Read more »](#)

## AEROSPACE & DEFENSE

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## US Must Disclose Docs To Defend Transgender Military Ban

A Washington federal judge declined Tuesday to rethink her decision ordering the federal government to disclose all the information it may use to defend a ban on transgender military service members, deeming the administration's attempt to invoke executive privilege belated and its current disclosures insufficient. [Read more »](#)

## Full Fed. Circ. Won't Review VA's Agent Orange Policy Tweak

A majority of Federal Circuit judges declined Wednesday to revisit a decision rejecting Vietnam War Navy veterans' challenge to a U.S. Department of Veterans Affairs manual tweak instructing adjudicators to deny certain Agent Orange-related benefit claims, after a court panel previously ruled that it lacked jurisdiction. [Read more »](#)

## GOP Rep. Wants Commission To Study Artificial Intelligence

Rep. Elise Stefanik, R-N.Y., introduced legislation Wednesday to study the potential national security implications of artificial intelligence, saying the technology is likely in the future to "touch every aspect of our lives." [Read more »](#)

## INTERNATIONAL TRADE

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## US Allies May Earn Immediate Steel, Aluminum Tariff Relief

U.S. Trade Representative Robert Lighthizer indicated Wednesday that several close U.S. allies may earn immediate exemptions from the steel and aluminum tariffs set to take effect this week and that the U.S. aims to wrap up a permanent set of country-specific exclusions by the end of April. [Read more »](#)

## US Trade Rep Digs In On NAFTA 'Sunset' Proposal

U.S. Trade Representative Robert Lighthizer on Wednesday vigorously defended his office's proposal to subject the North American Free Trade Agreement to potential termination every five years unless the parties agree to extend it, pushing back against lawmakers who said the idea creates uncertainty for U.S. exporters. [Read more »](#)

## EU Proposes €5B Online Tax, Heightening Trade War Fears

Minor League Baseball  
National Association of Manufacturers  
National Basketball Association  
National Hockey League  
Natural Resources Defense Council  
New Jersey Civil Justice Institute  
New York State Bar Association  
New York University  
Regents of the University of California  
San Francisco Bar Association  
Spectrum Communications Inc.  
Temple University  
The Boeing Company  
Trump Organization Inc.  
Twitter Inc.  
Wal-Mart Stores Inc.  
Washington Post Co.  
WebBank Corp.  
Zeughauser Group LLC

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
Department of Commerce  
European Commission  
European Union  
Executive Office of the President  
Federal Aviation Administration  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Reserve Bank of Philadelphia  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Georgia Department of Law - Office of the Attorney General  
Internal Revenue Service  
NAFTA  
National Labor Relations Board  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
Office of the U.S. Trade Representative  
Pennsylvania Department of Health  
Pennsylvania Supreme Court  
Texas Attorney General's Office  
Texas Legislature



A new €5 billion (\$6.1 billion) levy put forward Wednesday by the European Union's executive arm would target the advertising, data and marketplace-based business models favored by digital giants such as Google LLP, Facebook Inc. and Airbnb Inc., but the European Commission denied accusations that the tax was "anti-American." [Read more »](#)

### **Lighthizer Defends Skepticism Of NAFTA Arbitration To GOP**

U.S. Trade Representative Robert Lighthizer told lawmakers on Wednesday that it's not the U.S. government's job to protect American companies investing abroad as he defended the Trump administration's skepticism of investor state arbitration in the North American Free Trade Agreement. [Read more »](#)

### **Groups Seek Ban On Imports From Mexico To Save Porpoise**

Conservation groups sued the federal government in the U.S. Court of International Trade on Wednesday, calling for a prohibition on seafood imported from Mexico when it's caught in a certain area with an all-encompassing net, saying the world's smallest, most endangered porpoise will be pushed to extinction without such a ban. [Read more »](#)

## **TAX**

### **Omnibus Spending Bill Would Fix Tax Law's 'Grain Glitch'**

Congressional leaders on Wednesday unveiled an omnibus spending bill that would alter a provision of the recent tax overhaul legislation that lawmakers said was having adverse effects on the U.S. agriculture industry. [Read more »](#)

### **Feds Wrong To Underpay Utah County, Claims Court Finds**

The U.S. Department of the Interior must pay what it promises to pay even when Congress appropriates less funding, the U.S. Court of Federal Claims ruled Tuesday in siding with a Utah county government for payments in lieu of taxes. [Read more »](#)

## **IMMIGRATION**

### **Trump Rips DOJ For Not Asking Justices To Hear DACA Case**

President Donald Trump slammed the U.S. Department of Justice on Twitter on Wednesday for failing to prod the U.S. Supreme Court to hear the appeal of rulings that allowed Deferred Action for Childhood Arrivals participants to obtain driver's licenses in Arizona. [Read more »](#)

### **Immigration Authorities Sued Over 5-Year Green Card Delays**

Three refugees from Sri Lanka sued federal immigration authorities in New York federal court on Wednesday over their failure to process the immigrants' applications for permanent residency for almost five years, alleging that they have violated due process and the Administrative Procedure Act. [Read more »](#)

### **ACLU, Professors, Others Defend DACA Injunction At 9th Circ.**

The American Civil Liberties Union Foundation, history professors and others on Tuesday urged the Ninth Circuit not to reverse a California federal court's order temporarily barring the Trump administration from rescinding the Deferred Action for Childhood Arrivals program. [Read more »](#)

## **TELECOMMUNICATIONS**

### **Charter Faces Fine, Possible NYC Ban Over Merger Breach**

New York state intends to fine Charter Communications Inc. \$1 million and investigate whether to revoke the cable giant's permission to do business in New York City for failing to fulfill promises to expand broadband service and pay full licensing fees. [Read more »](#)

[U.S. Attorney's Office](#)

[U.S. Department of Defense](#)

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[U.S. Department of the Treasury](#)

[U.S. Environmental Protection Agency](#)

[U.S. House Committee on Energy and Commerce](#)

[U.S. House of Representatives](#)

[U.S. Office Of Special Counsel](#)

[U.S. Office of Personnel Management](#)

[U.S. Senate](#)

[U.S. Supreme Court](#)

[World Trade Organization](#)

## Study FCC 5G Infrastructure Plan's Tribal Impact: Commish

Thursday's anticipated FCC vote to streamline 5G infrastructure deployment should be delayed until the agency can further assess how the proposal might hurt tribal lands and the environment, Commissioner Mignon Clyburn said Wednesday afternoon. [Read more »](#)

## FCC's O'Rielly Slams 911 Fee Diversion By RI, Other States

FCC Commissioner Michael O'Rielly blasted 911 fee "diversion" in a speech in Rhode Island this week, noting that the state shifts more than half the money collected for emergency call networks into its general funds, making it second only to New Jersey in terms of overall amount and percentage diverted. [Read more »](#)

## RETAIL

## Walmart, Other Cos. Can Sell Liquor In Texas, Judge Rules

A Texas rule barring public corporations from owning liquor stores unconstitutionally discriminates against out-of-state retailers, a Texas federal judge held Tuesday in a ruling that paves the way for Walmart Inc. and other large retailers to begin selling liquor in the state. [Read more »](#)

## EXPERT ANALYSIS

## The Hatch Act And Political Speech By Federal Employees

Kellyanne Conway brought national attention to a little-appreciated federal law, the Hatch Act, which prohibits a wide range of political conduct by federal employees in the executive branch. But the same statute that allows the Office of Special Counsel to prosecute these complaints has a carveout for certain presidential appointees, says Alan Kabat of Bernabei & Kabat PLLC. [Read more »](#)

## TCPA Insurance Claim Issues Continue To Evolve

Because Telephone Consumer Protection Act claims inherently exist at the nexus between multiple lines of coverage, the landscape of TCPA insurance coverage law is complex. Recent questions include whether TCPA claims inherently arise from invasions of privacy and whether damages awarded are remedial or punitive, say Cort Malone and Nicholas Maxwell of Anderson Kill PC. [Read more »](#)

## Foolishness Versus Fintech: Foolishness Wins Again

A Colorado federal court's recent decision in *Meade v. Avant* strikes another blow against many financial technology firms by limiting the valid-when-made doctrine, which provides that a loan that is valid when it's made does not become invalid when it's sold or assigned to a third party, say Timothy Butler and Chelsea Lamb of Troutman Sanders LLP. [Read more »](#)

## A Potentially Promising Future For Pa. Medical Marijuana

The Pennsylvania Department of Health recently published new temporary regulations that will expand patient access to pharmaceutical-grade medical cannabis and enhance the state's nascent medical marijuana program. However, certain provisions could threaten the program's economic viability, say Daniel Clearfield and Peter Murphy of Eckert Seamans Cherin & Mellott LLC. [Read more »](#)

## Chief Innovation Officer — The New Star On Legal Teams

Over the past few years, forward-thinking law firms have expanded their talent pools to include a chief innovation officer, whose responsibilities include spearheading the implementation of technology. It is a smart move, says Mark Williamson, co-founder and chief technology officer at Hanzo Archives Ltd. [Read more »](#)

## LEGAL INDUSTRY

### Analysis

## Why Latham's Sex Scandal Isn't BigLaw's #MeToo Moment

The Tuesday resignation of Latham & Watkins LLP Chair Bill Voge amid a sexual misconduct scandal investigated by Law360 showcases how personal behavior can become a professional liability for attorneys, but experts say it falls well short of a #MeToo reckoning for BigLaw. [Read more »](#)

#### Analysis

### Latham Chair's Road From 'Christian Reconciliation' To Ouster

The Tuesday resignation of Latham & Watkins Chair Bill Voge was the culmination of a monthslong association with a woman unconnected to the firm that began last September, when Voge volunteered to broker a "Christian reconciliation" between her and a member of a nonprofit where Voge sat on the board. [Read more »](#)

#### Feature

### 5 Mistakes Millennial Attys Should Avoid On Social Media

Any attorney can slip up online, as a slew of recent ethical flubs have shown, but millennial attorneys are especially susceptible because of their prolific posting and tweeting. Law360 looks at five of the worst mistakes attorneys can make on social media and how to avoid them. [Read more »](#)

### Ex-Akin Gump Atty Says Feds Handed Him Stolen Complaints

The ex-Akin Gump Strauss Hauer & Feld LLP attorney who was sentenced to 2 1/2 years in prison for trying to sell a sealed whistleblower complaint said the government gave him back a hard drive full of stolen lawsuits, according to his renewed bid Wednesday to get into a prison-time-shaving drug rehab program. [Read more »](#)

#### How They Won It

### Jones Day And Orrick Kill Heller Clawback

Knowing the California Supreme Court's decision would have broad ramifications for the legal industry, attorneys for Jones Day and Orrick Herrington & Sutcliffe LLP beat a clawback bid by the bankruptcy trustee of Heller Ehrman by arguing a core principle: A defunct law firm doesn't have a property interest in hourly matters continued by a dissolved firm's former partners. [Read more »](#)

### Law Schools Ask 2nd Circ. To Affirm \$50M Antitrust Suit Win

Ten law schools urged the Second Circuit on Wednesday to uphold a lower court's dismissal of federal antitrust and racketeering claims from a bar exam preparation company's \$50 million suit alleging they conspired to stifle competition for classes targeting foreign Master of Laws graduates, saying the claims weren't factually supported. [Read more »](#)

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Latham & Watkins

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Akin Gump

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Susman Godfrey

Altshuler Berzon

Anderson Kill

Arnold & Porter

Baker McKenzie

Bernabei & Kabat

Boies Schiller

Bressler Amery

Bryant Miller

Chamberlain Hrdlicka  
Cotchett Pitre  
Coudert Brothers  
Covington & Burling  
Davis Wright Tremaine  
Diamond McCarthy  
Eckert Seamans  
Foley & Lardner  
Gardere Wynne Sewell  
Goodwin  
Hagens Berman  
Hill & Ponton  
Jones Day  
Keker Van Nest & Peters  
King & Spalding  
Kirkland & Ellis  
Littler Mendelson  
Munger Tolles  
O'Melveny & Myers  
Orrick Herrington  
Passman & Jones  
Patterson Belknap  
Paul Weiss  
Perkins Coie  
Reynolds Porter  
Schoenberg Finkel  
Seyfarth Shaw  
Smith Currie  
Smith Moore Leatherwood  
Stern & Kilcullen  
Taylor Wessing  
Troutman Sanders  
White and Williams

#### COMPANIES

Twitter Inc.  
BuzzFeed Inc.  
Center for Biological Diversity Inc.  
Facebook  
New York University  
AT&T Inc.  
Abbott Laboratories  
Airbnb Inc.  
Amazon.com Inc.  
American Bankers Association  
American Cancer Society Inc.  
American Civil Liberties Union  
BP p.l.c.  
Cable News Network Inc.  
Cato Institute  
Charter Communications Inc.

Chevron Corporation  
Citizens for Responsibility and Ethics in Washington  
ConocoPhillips  
DISH Network Corporation  
District of Columbia Bar Association  
Dow Chemical Co.  
Electronic Frontier Foundation  
Exxon Mobil Corporation  
Fordham University  
Google Inc.  
Instagram Inc.  
International Union of Painters and Allied Trades  
Lambda Legal Defense & Educational Fund  
Los Angeles Clippers  
Los Angeles Lakers  
Lyft Inc.  
Major League Baseball Inc.  
Major League Baseball Players Association  
Microsoft Corporation  
Minor League Baseball  
National Association of Manufacturers  
National Basketball Association  
National Hockey League  
Natural Resources Defense Council  
New Jersey Civil Justice Institute  
New York State Bar Association  
Regents of the University of California  
San Francisco Bar Association  
Spectrum Communications Inc.  
Temple University  
The Boeing Company  
Trump Organization Inc.  
Wal-Mart Stores Inc.  
Washington Post Co.  
WebBank Corp.  
Zeughauser Group LLC

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Executive Office of the President  
Federal Communications Commission  
Internal Revenue Service  
U.S. Department of Homeland Security  
European Union  
NAFTA  
National Marine Fisheries Service  
U.S. Department of Defense  
Bureau of Citizenship and Immigration Services  
Department of Commerce  
European Commission

Federal Aviation Administration  
Federal Deposit Insurance Corp.  
Federal Reserve Bank of Philadelphia  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Georgia Department of Law - Office of the Attorney General  
National Labor Relations Board  
National Oceanic and Atmospheric Administration  
Office of the U.S. Trade Representative  
Pennsylvania Department of Health  
Pennsylvania Supreme Court  
Texas Attorney General's Office  
Texas Legislature  
U.S. Attorney's Office  
U.S. Department of Labor  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House Committee on Energy and Commerce  
U.S. House of Representatives  
U.S. Office Of Special Counsel  
U.S. Office of Personnel Management  
U.S. Senate  
World Trade Organization

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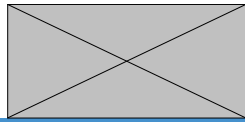
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CLV000477

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 8/8/2016 8:48:14 AM  
**Subject:** [Marketing Mail] Seattle Mulls Delay Of Landmark Uber Driver Union Law



## PUBLIC POLICY

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**Monday, August 8, 2016**

### TOP NEWS

#### Seattle Mulls Delay Of Landmark Uber Driver Union Law

The city of Seattle told a federal judge Thursday that it may delay by six months implementing a new ordinance allowing Uber and Lyft drivers to unionize, saying that could affect whether the U.S. Chamber of Commerce's antitrust challenge to the first-of-its-kind ordinance should be dismissed.

#### New Audit Rule Limits Tax Discharges By Partnerships

A new rule forcing partnerships to declare they won't voluntarily file for bankruptcy as a prerequisite for electing a revamped tax audit regime is being billed by experts as an unexpected move by the Internal Revenue Service to prevent the new regime from being abused to avoid tax liabilities.

#### EPA Won't Review Power Plant Startup-Shutdown Regs

The U.S. Environmental Protection Agency on Friday denied a petition by environmental groups to reconsider changes to the Mercury and Air Toxics Standards rule that give power plants a little more leeway when starting up or shutting down.

#### Pa. AG Loses State Supreme Court Bid To Nix Criminal Counts

The Pennsylvania Supreme Court on Friday shot down an emergency petition filed by Attorney General Kathleen Kane seeking to toss criminal charges she is facing over her alleged role in leaking confidential investigative material to the press, clearing the table for a trial next week.

#### Calif. Lawmakers Want Judicial Discipline Commission Audit

Four California state lawmakers are pressing for an audit of the Commission on Judicial Performance following a recent report that it tossed a majority of the 1,245 complaints it received last year against active and former judges.

### ANALYSIS

#### Trump Aims To Shake Up Trade Negotiating Strategy: Adviser

The U.S. is likely to see a dramatic shift in its trade policy if Donald Trump's offbeat presidential bid comes to fruition, Trump adviser Peter Navarro has told Law360, vowing that the former real estate tycoon's populist-driven campaign message will be ushered straight to the negotiating table.

### LAW FIRMS

Addleshaw Goddard  
Akerman  
Akin Gump  
Allison MacKenzie  
Alston & Bird  
Altshuler Berzon  
Arnold & Porter  
Berwin Leighton  
Bird & Bird  
Carroll Burdick  
Constantine Cannon  
Cravath Swaine  
Crowell & Moring  
DLA Piper  
Davis Wright Tremaine  
Dykema Gossett PLLC  
Earthjustice  
Edwards Wildman  
Eversheds LLP  
Faegre Baker  
Fish & Richardson  
Foley & Lardner  
Freeborn & Peters  
Freshfields  
Gibson Dunn  
Greenberg Traurig  
Hogan Lovells  
Holland & Knight  
Hunton & Williams  
Husch Blackwell  
Irell & Manella  
Jackson Walker  
Jones Day  
K&L Gates

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## Massive Gulf Separates Trump And Clinton On Energy Policy

The energy policy gulf between U.S. presidential candidates Hillary Clinton and Donald Trump is nothing short of historic, leaving the fate of sweeping regulatory initiatives, such as the Clean Power Plan, hanging in the balance when voters go to the polls this November, policy experts say.

## Amtrak's STB Preference Win Tees Up Legal Challenges

The Surface Transportation Board's recent decision confirming that Amtrak has the right of way over cargo traffic on the nation's railways is a major win for the passenger railroad, but experts say it will set off even more battles with freight railroads concerning train delays on limited track.

## ENERGY & ENVIRONMENTAL

### Greens Urge Judge Not To Toss Aircraft Emissions Suit

Two environmental groups on Friday asked a D.C. federal judge not to dismiss their lawsuit to force the U.S. Environmental Protection Agency to promulgate long-awaited carbon emissions standards for aircraft.

### FERC Commissioner Clark Stepping Down Next Month

Tony Clark, the sole Republican on the currently four-member Federal Energy Regulatory Commission and whose term at the commission expired June 30, said he would step down following FERC's September monthly meeting.

### EPA Risk Management Rule May Help Terrorists, AGs Say

Eleven attorneys general have asked the U.S. Environmental Protection Agency to reconsider its recently proposed changes to a chemical facility risk management program rule, saying some public disclosure requirements could assist terrorists in planning attacks.

### Nevada Top Court Strikes 'Misleading' Solar Ballot Measure

The Nevada Supreme Court has struck down a ballot measure that would have eliminated a new tariff on rooftop solar customers, finding the measure's description was "not only inaccurate and misleading, but also argumentative."

## HEALTH & LIFE SCIENCES

### Genetically Modified Mosquitoes' Trial Run Inches Closer

The U.S. Food and Drug Administration on Friday denied two citizen petitions asking the agency to conduct further environmental analysis for a proposed Florida Keys field trial of a genetically engineered mosquito designed with the aim of combating Zika and other diseases, saying that it has done all it must do.

## EMPLOYMENT

### Houston Schools' Chief Auditor Files Whistleblower Suit

The former chief audit executive of Houston Independent School District who was suspended with pay in March and told to come back to work this week filed a whistleblower lawsuit against the school district Friday in state court in Houston, arguing he was fired for pointing out violations of law he uncovered.

### Bangladesh Garment Sector Still Needs Labor Reforms: EU

The government of Bangladesh has taken positive steps to improve labor conditions in the wake of a 2013 garment factory collapse that killed more than 1,000 workers, but there is still considerable work to be done, according to a European Union report issued Friday.

## COMPETITION

Kaye Scholer  
Kilpatrick Townsend  
Kirkland & Ellis  
Klarquist Sparkman  
Kobre & Kim  
Latham & Watkins  
Lerman Senter  
Lewis Roca  
Locke Lord  
Mayer Brown  
McCalla Raymer  
Morgan Lewis  
Morrison & Foerster  
Pepper Hamilton  
Pietragallo Gordon  
Quinn Emanuel  
Sedgwick LLP  
Sidley Austin  
Simmons & Simmons  
Skadden  
Squire Patton Boggs  
Stoel Rives  
Strasburger & Price  
Stroock & Stroock  
Taylor English  
Taylor Wessing  
Thompson & Knight  
Weil Gotshal  
White & Case  
Winston & Strawn  
Wolf Greenfield  
von Briesen

## COMPANIES

AAR Corporation  
Allergan PLC  
Altman Weil Inc.  
American Beverage Association  
American Society Of Composers  
Authors & Publishers  
Association of American Railroads  
Bank of America Corporation  
Blackboard Inc.  
CTIA  
Center for Biological Diversity Inc.  
Cox Communications Inc.  
Edison Electric Institute Inc.  
Fluor Corporation  
Friedman LLP  
Golden State Warriors  
Google Inc.  
Guitar Center Inc.



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## Menendez Pal Defends Fla. Bid To Ditch Prosecution's Experts

The Florida eye doctor accused of bribing U.S. Sen. Bob Menendez, D-N.J., defended a motion in a separate Medicare fraud case to exclude testimony by the government's newly introduced witnesses, arguing Friday in Florida federal court that the vast expansion of the case so close to his upcoming trial renders him substantially prejudiced.

## PRIVACY & CONSUMER PROTECTION

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## Baylor U. Wants Title IX Sex Assault Suit Tossed

Baylor University, its former head football coach Art Briles and its former athletic director Ian McCaw are continuing a campaign to have a Title IX lawsuit brought against them by a woman who was raped by a former football player dismissed, arguing the claims were made too late.

## GOVERNMENT CONTRACTS

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## White House Unveils Plan To Cut Federal Mobile Spending

The White House Office of Management and Budget announced a new policy Thursday intended to streamline and improve purchasing of mobile devices and services by federal agencies, seeking to cut down on the \$1 billion in related federal spending each year.

## INTERNATIONAL TRADE

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## Tax Reform Advocates Bash Republicans' Anti-TPP Effort

The National Taxpayers Union has issued a stern rebuke to a group of Republican lawmakers who have urged the White House to hold off on pushing for a vote on the Trans-Pacific Partnership this year, downplaying the lawmakers' fears over currency manipulation and calling the effort "irresponsible."

## Feds Restrict Exports Of Nuke Isotope Equipment

The U.S. Department of Commerce announced Friday it is adding equipment used to make an isotope that boosts the yield of nuclear weapons to its list of restricted export items.

## No Ruling On S. Korea's Nuke Disaster Safeguards Till 2017

A World Trade Organization dispute settlement panel said Friday that it will not be able to render a decision on the legality of South Korea's restrictions on Japanese food products following a 2011 nuclear disaster until June 2017.

## TAX

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## DC Circ. Revives Tea Party Lawsuits Against IRS

The D.C. Circuit partially restored a pair of lawsuits brought by several conservative advocacy organizations accusing the IRS of targeting them for additional scrutiny, finding Friday that the government had not taken enough steps to address its "admittedly improper" discriminatory criteria.

## BANKRUPTCY

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## Ex-Fla. City Officials Charged In Bribery Scheme

Federal prosecutors charged two former city officials of nearly bankrupt Opa-Locka, Florida, with participating in a two-year-long scheme in which they

Halliburton Company  
Henkel AG & Co.  
Intellectual Ventures  
International Business Machines Corporation  
Janus Capital Group Inc.  
LinkedIn Corp.  
Lyft Inc.  
Madison Dearborn Partners LLC  
Microsoft Corporation  
NVIDIA Corporation  
National Association of Broadcasters  
National Railroad Passenger Corporation  
Oracle Corporation  
PPR  
Pacira Pharmaceuticals Inc.  
Pfizer Inc.  
Philip Morris USA Inc.  
Samsung Electronics Co. Ltd.  
Sierra Club  
Spotify Technology SA  
State Bar of California  
StubHub Inc.  
Symantec Corporation  
Ticketmaster Entertainment, Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Uber Technologies Inc.  
United States Soccer Federation Inc.  
United Technologies Corporation  
VirnetX Holding Corporation  
Wal-Mart Stores Inc.  
Welch Consulting  
Zeughauser Group LLC

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Indian Affairs  
Bureau of Industry and Security  
Bureau of Labor Statistics  
Council on Environmental Quality  
Department of Commerce  
European Commission  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Energy Regulatory

demanded bribes from business and individuals in exchange for help with permits and other official business with the city.

## IMMIGRATION

### Backpage Must Comply With Senate Subpoena On Online Ads

Online advertising site Backpage.com must produce documents detailing how it reviews advertisements in its adult section and flags user accounts, after a District of Columbia federal judge ordered it on Friday to comply with a U.S. Senate subpoena in an investigation of sex trafficking.

## NATIVE AMERICAN

### EPA Presses To Slim Down Maine's Tribal Water Row

The U.S. Environmental Protection Agency continued to press a federal court Thursday to pare down Maine's suit to compel the agency to recognize the state's authority over tribal waters, saying the court lacks jurisdiction over a Clean Water Act claim.

### Proposed Tribe Claims BIA Failed To Call For Election

The proposed Ukiah Valley Pomo Indian Tribe lobbed a complaint against the Bureau of Indian Affairs in a California federal court Thursday, accusing the government of violating the Indian Reorganization Act by refusing to allow the group to vote on organizing as a half-blood Native American tribe.

## TELECOMMUNICATIONS

### FCC Grants School Emergency, Utility Exceptions To Robocalls

The Federal Communications Commission clarified on Thursday the scope of consent required from consumers before schools or utility companies can send automated text messages and robocalls to wireless numbers, saying such communication during emergency situations and service notices doesn't break the law.

### Broadcast Standard Concerns 'Unfounded,' NAB Says

The National Association of Broadcasters pushed back Thursday against concerns about a proposed broadcast television standard's effect on wireless communication interests, telling the Federal Communications Commission the new means of signal transmission will not interfere with spectrum licenses purchased in the incentive auction.

## EXPERT ANALYSIS

### FDA Claims Jurisdiction Over All Tobacco Products

The U.S. Food and Drug Administration's new rule regulating all tobacco products, including e-cigarettes, has been met with significant pushback by the industry. But all court proceedings remain pending and until a court or the FDA says differently, the new rule will take effect as scheduled, on Aug. 8, 2016, says Paul Cicelski at Lerman Senter PLLC.

### 5th Circ. Haze Ruling May Cloud Clean Air Act Litigation

The Fifth Circuit, in *State of Texas v. U.S. Environmental Protection Agency*, recently issued an important decision on venue and jurisdiction in challenges to EPA rules promulgated under the Clean Air Act. However, the issues addressed in the court's ruling potentially have ramifications beyond this litigation and could also affect other suits under different provisions of the CAA, say attorneys at Jackson Walker LLP.

Commission

Federal Railroad Administration

Federal Trade Commission

Food and Drug Administration

Internal Revenue Service

International Trade Commission

NAFTA

National Telecommunications and Information Administration

Pinoleville Pomo Nation

San Francisco Bay Area Rapid Transit District (BART)

Securities and Exchange Commission

Surface Transportation Board

U.S. Attorney's Office

U.S. Copyright Office

U.S. Department of Energy

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. General Services Administration

U.S. Senate

U.S. Supreme Court

Wage and Hour Division

## **It's Time To Loosen The Limitations On BDC Investors**

Business development companies face challenges raising money due to a quirk in the federal securities laws that limits how much mutual funds can invest in them. But if participants in the capital markets raise their voices, there is some hope that the U.S. Securities and Exchange Commission will ease the restriction, says Kelley Howes, of counsel at Morrison & Foerster LLP and former general counsel of Janus Capital Group Inc.

## **Song Stays Pretty Much The Same For ASCAP, BMI**

The U.S. Department of Justice's decision to keep the core of the ASCAP and BMI consent decrees intact sidesteps a closely watched, hotly contested issue that has captured the eyes, ears and keyboards of music industry titans and digital music entrepreneurs alike — whether to permit “partial withdrawals,” says Daniel Vitelli of Constantine Cannon LLP.

## **5 Open Questions On Risk Retention**

Almost two years have passed since final rules for asset-backed securities risk retention were released. However, a number of important questions regarding the scope of the rules and the ways in which they can be complied with still lack definitive answers, says Ariel Kronman of Weil Gotshal & Manges LLP.

## **9 Tips For Becoming A Legal Pundit In The Media**

Have you ever been reading your morning paper or watching the nightly news, and found yourself wondering, “How did that lawyer get on TV? I could do that.” If you’ve decided you want to start putting yourself or your law firm in the public light but feel at a loss about how to start, there are several steps you can take to get noticed, says Annie Scranton at Pace Public Relations.

## **LEGAL INDUSTRY**

### **Litigation Powerhouse: Latham & Watkins**

Its deft handling of complex litigation matters across a broad range of practice areas has primed Latham & Watkins LLP as the turn-to firm for the likes of such established names as Oracle Corp., Cox Communications and the United States Soccer Federation this past year, placing it among Law360's Litigation Powerhouses.

### **3 Ways Firms Got A Leg Up In The First Half Of 2016**

In today's cutthroat legal market, law firms have to be creative to get ahead, ushering in a new era where old-school ideas and traditions are eschewed and innovation is imperative. Here are three big changes firms have made in 2016 to get a leg up on the competition.

### **3 UK Firms Hit Attys With Pay Freezes, Layoffs Over Brexit**

Attorneys with London-based firms Simmons & Simmons, Addleshaw Goddard and Gowling WLG got some unpleasant news this week in the form of pay freezes and layoffs as a result of the uncertainty facing the legal profession in Britain since the country voted to leave the European Union.

### **Legal Sector Still Lethargic, Loses 200 Jobs In July**

Legal sector jobs in the U.S. continue to stagnate, with employment in legal services declining slightly in July following a monthslong plateau, according to the U.S. Bureau of Labor Statistics' monthly jobs report, released on Friday.

### **9th Circ.'s Kozinski Slams Calif. AG For Overlong Brief**

Ninth Circuit Judge Alex Kozinski took a hard line on too-long briefs on Thursday, saying in a fiery dissent accompanying an otherwise routine order allowing California's attorney general to file an oversized brief that submitting verbose papers has become a “common and rather lamentable practice.”

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

The Chamber of Commerce sues over rules that discourage corporate inversions;

the government looks into security measures for Fitbits and Nest thermostats; and Subway, dogged by franchisees' wage-and-hour violations, teams up with the U.S. Department of Labor for an education push. Those stories top the corporate legal news you may have missed last week.

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

#### **JOBS**

[Search full listings](#) or [advertise your job opening](#)

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#### **LAW FIRMS**

Latham & Watkins  
Arnold & Porter  
Crowell & Moring  
DLA Piper  
Freshfields  
Jones Day  
Locke Lord  
Morrison & Foerster  
White & Case  
Addleshaw Goddard  
Akerman  
Akin Gump  
Allison MacKenzie  
Alston & Bird  
Altshuler Berzon  
Berwin Leighton  
Bird & Bird  
Carroll Burdick  
Constantine Cannon  
Cravath Swaine  
Davis Wright Tremaine  
Dykema Gossett PLLC  
Earthjustice  
Edwards Wildman  
Eversheds LLP  
Faegre Baker  
Fish & Richardson  
Foley & Lardner  
Freeborn & Peters  
Gibson Dunn  
Greenberg Traurig  
Hogan Lovells  
Holland & Knight  
Hunton & Williams  
Husch Blackwell  
Irell & Manella  
Jackson Walker  
K&L Gates  
Kaye Scholer  
Kilpatrick Townsend

Kirkland & Ellis  
Klarquist Sparkman  
Kobre & Kim  
Lerman Senter  
Lewis Roca  
Mayer Brown  
McCalla Raymer  
Morgan Lewis  
Pepper Hamilton  
Pietragallo Gordon  
Quinn Emanuel  
Sedgwick LLP  
Sidley Austin  
Simmons & Simmons  
Skadden  
Squire Patton Boggs  
Stoel Rives  
Strasburger & Price  
Stroock & Stroock  
Taylor English  
Taylor Wessing  
Thompson & Knight  
Weil Gotshal  
Winston & Strawn  
Wolf Greenfield  
von Briesen

#### COMPANIES

AAR Corporation  
Edison Electric Institute Inc.  
U.S. Chamber of Commerce  
Wal-Mart Stores Inc.  
Allergan PLC  
Altman Weil Inc.  
American Beverage Association  
American Society Of Composers Authors & Publishers  
Association of American Railroads  
Bank of America Corporation  
Blackboard Inc.  
CTIA  
Center for Biological Diversity Inc.  
Cox Communications Inc.  
Fluor Corporation  
Friedman LLP  
Golden State Warriors  
Google Inc.  
Guitar Center Inc.  
Halliburton Company  
Henkel AG & Co.  
Intellectual Ventures  
International Business Machines Corporation

Janus Capital Group Inc.  
LinkedIn Corp.  
Lyft Inc.  
Madison Dearborn Partners LLC  
Microsoft Corporation  
NVIDIA Corporation  
National Association of Broadcasters  
National Railroad Passenger Corporation  
Oracle Corporation  
PPR  
Pacira Pharmaceuticals Inc.  
Pfizer Inc.  
Philip Morris USA Inc.  
Samsung Electronics Co. Ltd.  
Sierra Club  
Spotify Technology SA  
State Bar of California  
StubHub Inc.  
Symantec Corporation  
Ticketmaster Entertainment, Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
Uber Technologies Inc.  
United States Soccer Federation Inc.  
United Technologies Corporation  
VirnetX Holding Corporation  
Welch Consulting  
Zeughauser Group LLC

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Environmental Protection Agency  
U.S. Supreme Court  
Federal Communications Commission  
Food and Drug Administration  
Internal Revenue Service  
Securities and Exchange Commission  
Council on Environmental Quality  
Department of Commerce  
Executive Office of the President  
Federal Bureau of Investigation  
U.S. Department of Labor  
U.S. Senate  
Army Corps of Engineers  
Bureau of Indian Affairs  
Bureau of Industry and Security  
Bureau of Labor Statistics  
European Commission  
Federal Aviation Administration  
Federal Energy Regulatory Commission  
Federal Railroad Administration

Federal Trade Commission  
International Trade Commission  
NAFTA  
National Telecommunications and Information Administration  
Pinoleville Pomo Nation  
San Francisco Bay Area Rapid Transit District (BART)  
Surface Transportation Board  
U.S. Attorney's Office  
U.S. Copyright Office  
U.S. Department of Energy  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. General Services Administration  
Wage and Hour Division

## **JOBS**

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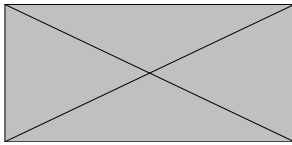
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 12/12/2016 10:26:31 AM  
**Subject:** [Marketing Mail] After Miner Benefit Feud, Gov't Funding Passes Congress



**PUBLIC POLICY**

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**Monday, December 12, 2016**

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## **TOP NEWS**

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### **After Miner Benefit Feud, Gov't Funding Passes Congress**

A bill extending funding for the federal government passed in Congress shortly before the previous funding bill would have run out at midnight Friday, overcoming Democrats' objections that an extension of miners' benefits was too short.

### **Water Projects Bill Passes Despite Enviromental Concerns**

In the last vote of the 114th Congress, the Senate passed a major water projects bill in the early hours of Saturday morning, despite Democratic objections on provisions they said targeted environmental protections and removed "buy American" requirements.

### **Sens. To Introduce 'Bridge Act' To Protect DACA Recipients**

Sen. Dick Durbin, D-Ill., announced on the Senate floor Friday bipartisan legislation that would provide work authorization and temporary relief from removal to young unauthorized immigrants who were brought to the U.S. as children, saying it would protect them from deportation under the incoming Donald Trump administration.

### **Portland Tax Based On CEO Pay May Not Trim Wage Inequality**

A historic city council decision in Portland, Oregon, that will tax publicly traded companies with CEOs earning significantly more than their average workers could backfire, according to experts, who say the move will be perceived as an anti-business measure while doing little to fight wage inequality.

### **DOL Pick Draws Conservative Outcry For Immigration Stance**

President-elect Donald Trump's decision to nominate fast food CEO Andrew Puzder to head the U.S. Department of Labor has drawn backlash from those with ties to immigration restrictionist groups and the often anti-immigrant website Breitbart, which homed in on his support for foreign workers.

### **Senate OKs Wider Law Punishing Corrupt Foreign Officials**

The U.S. Senate on Thursday approved giving the president power to levy sanctions on foreign individuals tied to corruption or whistleblower retaliation, expanding on a law punishing certain Russian officials believed responsible for the death of dissident Sergei Magnitsky.

### **Top Tax Policy Developments Of 2016: Year In Review**

This year has seen multiple efforts by tax authorities around the world cracking down on corporate tax avoidance measures. Here, Law360 takes a look back at the five biggest policy measures taken to ensure that businesses pay their fair share of taxes.

## **ENERGY & ENVIRONMENTAL**

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### **Enviros Win Intervention Bid In BLM Flaring Rule Suit**

## **LAW FIRMS**

Akin Gump  
Allen & Overy  
Alston & Bird  
Arnold & Porter  
Bancroft PLLC  
Berger Singerman  
Buchanan Angeli  
Caplin & Drysdale  
Clifford Chance  
Cooper & Kirk  
Cravath Swaine  
DLA Piper  
Davis Graham  
Dentons  
Desmarais LLP  
Dorsey & Whitney  
Durie Tangri  
Earthjustice  
Edelson PC  
Finnegan  
Freshfields  
Frost Brown Todd  
Gibson Dunn  
Goodwin  
Greenberg Gross  
Greenberg Traurig  
Hickey & Evans  
Hogan Lovells  
Husch Blackwell  
Jackson Lewis  
Johnson & Bell  
Jones Day  
K&L Gates  
Kaye Scholer  
King & Wood Mallesons  
Kirkland & Ellis  
Latham & Watkins  
Morgan Lewis  
Morrison & Foerster

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A federal magistrate judge has allowed a slew of environmental groups to join a lawsuit that seeks to block a new Bureau of Land Management rule aimed at limiting the release of methane from drilling operations on federal and Native American lands.

## HEALTH & LIFE SCIENCES

### 2nd Ohio Abortion Ban Bill Heads To Kasich's Desk

Ohio lawmakers on Thursday passed a bill banning abortions after 20 weeks, joining a second bill passed on Tuesday that bans abortions once a heartbeat can be detected, with both awaiting Republican Gov. John Kasich's signature or veto.

## IP & TECHNOLOGY

### Analysis

### Vegas Golden Knights Trademark Refusal May Miss The Mark

The U.S. Patent and Trademark Office refused trademark applications for the Las Vegas Golden Knights hockey team over the similarity to a registration for the Golden Knights of The College of Saint Rose, but experts questioned whether there really will be any confusion between the two because professional and college teams often share the same nickname.

## REAL ESTATE

### SF Mayor Vetoes Tighter Short-Term Home Rental Restrictions

San Francisco Mayor Ed Lee vetoed a bill Thursday that would have reduced the amount of time residents can offer their homes for short-term rental, heading off another legal clash between the city and Airbnb Inc.

## EMPLOYMENT

### Union Asks 6th Circ. To Rethink Ky. Right-To-Work Ruling

A group of nine Kentucky unions, including chapters of the AFL-CIO, urged the Sixth Circuit Friday to reconsider its ruling upholding Hardin County, Ky.'s right-to-work ordinance, saying that federal labor law invalidates such ordinances if they are enacted by counties or local governments.

## PRIVACY & CONSUMER PROTECTION

### Feds Call Payday Lenders' 'Choke Point' Claims 'Erroneous'

Federal banking regulators said a bid by payday lenders to get an emergency injunction to stop "Operation Choke Point" was based on "erroneous and unsupported speculation" that supervisors were increasing pressure on banks to cut off their relationships with those companies.

### Obama Orders Review On Russian Activity In 2016 Election

President Barack Obama has directed intelligence officials to conduct a full review into Russian involvement in the November election as top members of Congress intensify calls for the White House to share what has already been gathered about Russian intrusion, according to news reports on Friday.

## GOVERNMENT CONTRACTS

### Oversight Reps Probe DOD's Withdrawn \$125B Waste Report

House Oversight Committee members demanded answers Thursday from Secretary

Nelson Mullins  
O'Melveny & Myers  
Ogletree Deakins  
Orrick Herrington  
Paul Hastings  
Paul Weiss  
Phillips Nizer  
Priddy Cutler  
Proskauer Rose  
Quinn Emanuel  
Reed Smith  
Ropes & Gray  
Shook Hardy  
Skadden  
Sullivan & Cromwell  
Thompson & Knight  
Weil Gotshal  
White and Williams  
Wilkinson Walsh  
Williams Montgomery  
WilmerHale  
Winston & Strawn

## COMPANIES

AT&T Inc.  
Airbnb Inc.  
Amazon.com Inc.  
America Fujikura Ltd.  
American Academy of Pediatrics  
American Airlines Group Inc.  
American Cable Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Immigration Lawyers Association  
Apple Inc.  
Boston Bruins  
Carolina Hurricanes  
Center for Biological Diversity Inc.  
Chevron Corporation  
Cisco Systems Inc.  
Citigroup Inc.  
Columbia Sportswear Company  
Community Financial Corp.  
Competitive Carriers Association  
Deloitte Touche  
Ecopetrol S.A.  
Embraer SA  
Environmental Defense Fund Inc.  
Federation Internationale de Football Association

CLV000488

of Defense Ash Carter on media reports that the Pentagon commissioned a report looking to cut costs but buried the findings over fears the identified \$125 billion in savings would be taken out of future budget requests.

## TAX

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### Food Distributor Challenges Puerto Rico Import Tariff

Puerto Rico Ports Authority and a security company illegally collected import tariffs in the form of fees charged for scanning shipments coming through the San Juan port, according to a food distributor's suit filed Thursday in a Puerto Rico federal court.

## NATIVE AMERICAN

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### BIA Wants Tribal Input On 'Indian Trader' Regulations

The Bureau of Indian Affairs announced its plan Friday to develop a rule that would help update and simplify so-called Indian Trader Regulations for businesses on tribal lands and is seeking tribal leaders' input on what changes to the regulations could help spur tribal economic growth.

## TELECOMMUNICATIONS

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### FCC Told To Tread Carefully With New Emergency Alert Rules

The Federal Communications Commission should be careful about any new burdens imposed by changes to the rules for the Emergency Alert System, the American Cable Association has said, asking the FCC to give smaller providers more flexibility in complying so that decisions will make sense for the communities they serve.

### Carriers Press FCC To Stick To Post-Auction Timeline

The Competitive Carriers Association said Thursday that the Federal Communications Commission should make sure it completes the transition of broadcasters to new airwaves after the incentive auction within the planned 39 months, saying its members need the spectrum as soon as possible.

## EXPERT ANALYSIS

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### CFPB Sets Demanding Standard For Incentive Programs

New Consumer Financial Protection Bureau guidance outlining expectations with respect to incentive programs — such as those at Wells Fargo — leaves much room for discretionary judgments as to which a regulator and a company may well disagree, say attorneys with Paul Weiss Rifkind Wharton & Garrison LLP.

### The Future Of FLSA's Revised White Collar Exemption

Last month, a Texas federal district court enjoined the U.S. Department of Labor's 2016 revisions to the Fair Labor Standards Act's white collar exemptions. The issue is unlikely to be resolved before President-elect Donald Trump takes over, so his administration will be the one to deal with this case, says James Cunningham Jr. of Berger Singerman LLP.

### FERC Proposal A Lift For New Energy Technologies

Last month, the Federal Energy Regulatory Commission proposed to amend its regulations to help bring electric storage resources and distributed energy resource aggregations in the capacity, energy and ancillary services markets operated by regional transmission organizations and independent system operators. This represents a major step forward in efforts to integrate advanced energy technologies into the wholesale electric grid, say attorneys from Akin Gump Strauss Hauer & Feldman LLP.

Fidelity National Financial Inc.  
First Focus  
Freddie Mac  
HMT LLC  
InterContinental Hotels Group PLC  
International Brotherhood of Electrical Workers  
International Brotherhood of Teamsters  
International Business Machines Corporation  
Johnson & Johnson  
Key Energy Services, Inc.  
LVMH Group  
LexisNexis Group  
Lincoln International LLC  
Madison Square Garden, Inc.  
MasterCard Incorporated  
National Collegiate Athletic Association  
National Hockey League  
Natural Resources Defense Council  
New York Knicks  
New York Rangers  
New York Times Co.  
Northrop Grumman Corporation  
PHH Corporation  
PepsiCo Inc.  
Pittsburgh Penguins  
Planned Parenthood Federation  
Raytheon Company  
Reed Elsevier  
SAP AG  
Sierra Club  
Sinclair Broadcast Group, Inc.  
Sociedad Quimica y Minera Square Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
U.S. Bancorp  
United Steelworkers  
Wal-Mart Stores Inc.  
Washington Post Co.  
Wells Fargo & Co.  
Yahoo! Inc.  
Zillow Inc.  
eBay Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Citizenship and

CLV000489

## TSCA High-Priority Chemicals: What Made The Cut?

Many of the substances listed in the U.S. Environmental Protection Agency's recent list of high-priority substances under the Toxic Substances Control Act come as no surprise. However, others were less likely choices especially considering the EPA recently proposed regulations that will likely suggest limits on certain uses of those substances, say Lawrence Culleen and Erika Norman of Arnold & Porter LLP.

## How Latin America Is Stepping Up Anti-Corruption Efforts

For much of 2015 and 2016, barely a day went by without an anti-corruption-related headline involving Latin America, as companies operating throughout the region have and continue to become well acquainted with a growing appetite to root out corruption, say attorneys with Paul Hastings LLP.

## 8 Things You Need To Know About EU's Insolvency Proposal

The European Commission is going way beyond its previous Pan-European insolvency project of mutual recognition of insolvency procedures and entering the world of harmonizing laws. The U.K. has to keep pace — and must look west to the U.S., says Howard Morris, senior of counsel in the London office of Morrison & Foerster LLP.

## LEGAL INDUSTRY

### How Smaller Law Firms Can Tackle Data Security On A Budget

It may be tempting for small and mid-sized firms to hold themselves to laxer data security standards than resource-rich BigLaw, but cyber experts warn that size is no excuse when your client data gets compromised. Here's how smaller firms can do better with their limited resources and how clients can push them along.

### KWM Europe Confirms It's Reviewing Purchase Offers

Global law firm King & Wood Mallesons' European branch is reviewing purchase offers and engaging in "detailed discussions with a small number of parties," the firm said in a statement Friday.

### Legal Tech Download: BigLaw Analytics And AI Investments

The world of legal technology is quickly evolving as new products aimed at aiding lawyers are created and launched in rapid succession. Here, Law360 takes a look at six of the biggest legal tech-related news developments over the past three weeks.

### GC Cheat Sheet: The Hottest Corporate News Of The Week

One city council votes to levy a surtax on companies that pay their CEOs disproportionately, nearly half of compliance officers say their own programs don't measure up and the Supreme Court takes on design patents for the first time in 120 years. Those stories top the corporate legal news you may have missed last week.

### NY Firm Offers Support Staff Additional 'Special Bonus'

As BigLaw firms reward associates for their hard work with bonuses climbing up to and above \$100,000, one law firm has recognized the hard work of its support staff, rewarding them with a "special bonus" on top of their usual year-end one, a memo made public on Thursday shows.

### Chicago Firm Didn't Secure Client Data, Suit Says

Former clients of Illinois law firm Johnson & Bell Ltd. are accusing the firm of exposing client information and failing to protect client data, saying the firm has structural holes in its security architecture, in a proposed class action unsealed Friday.

### In Case You Missed It: Hottest Firms and Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

Immigration Services  
Bureau of Indian Affairs  
Bureau of Land Management  
Consumer Financial Protection Bureau  
European Commission  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Federal Energy Regulatory Commission  
Federal Housing Finance Agency  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Immigration and Customs Enforcement  
Internal Revenue Service  
National Credit Union Administration  
New York Attorney General's Office  
New York State Department of Financial Services  
Office of the Comptroller of the Currency  
Office of the Director of National Intelligence  
Puerto Rico Ports Authority  
Securities and Exchange Commission  
U.S. Army  
U.S. Attorney's Office  
U.S. Consumer Product Safety Commission  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. Patent and Trademark Office  
U.S. Senate

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Cravath Swaine  
Dentons  
Greenberg Traurig  
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Kirkland & Ellis  
Skadden  
Akin Gump  
Allen & Overy  
Alston & Bird  
Bancroft PLLC  
Berger Singerman  
Buchanan Angeli  
Caplin & Drysdale  
Clifford Chance  
Cooper & Kirk  
DLA Piper  
Davis Graham  
Desmarais LLP  
Dorsey & Whitney  
Durie Tangri  
Earthjustice  
Edelson PC  
Finnegan  
Freshfields  
Frost Brown Todd  
Gibson Dunn  
Goodwin  
Greenberg Gross  
Hickey & Evans  
Husch Blackwell  
Jackson Lewis  
Johnson & Bell  
Jones Day  
K&L Gates  
Kaye Scholer  
King & Wood Mallesons  
Latham & Watkins  
Morgan Lewis  
Morrison & Foerster  
Nelson Mullins

O'Melveny & Myers  
Ogletree Deakins  
Orrick Herrington  
Paul Hastings  
Paul Weiss  
Phillips Nizer  
Priddy Cutler  
Proskauer Rose  
Quinn Emanuel  
Reed Smith  
Ropes & Gray  
Shook Hardy  
Sullivan & Cromwell  
Thompson & Knight  
Weil Gotshal  
White and Williams  
Wilkinson Walsh  
Williams Montgomery  
WilmerHale  
Winston & Strawn

#### COMPANIES

Deloitte Touche  
Environmental Defense Fund Inc.  
Natural Resources Defense Council  
Washington Post Co.  
Wells Fargo & Co.  
AT&T Inc.  
Airbnb Inc.  
Amazon.com Inc.  
America Fujikura Ltd.  
American Academy of Pediatrics  
American Airlines Group Inc.  
American Cable Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Immigration Lawyers Association  
Apple Inc.  
Boston Bruins  
Carolina Hurricanes  
Center for Biological Diversity Inc.  
Chevron Corporation  
Cisco Systems Inc.  
Citigroup Inc.  
Columbia Sportswear Company  
Community Financial Corp.  
Competitive Carriers Association  
Ecopetrol S.A.  
Embraer SA  
Federation Internationale de Football Association  
Fidelity National Financial Inc.

First Focus  
Freddie Mac  
HMT LLC  
InterContinental Hotels Group PLC  
International Brotherhood of Electrical Workers  
International Brotherhood of Teamsters  
International Business Machines Corporation  
Johnson & Johnson  
Key Energy Services, Inc.  
LVMH Group  
LexisNexis Group  
Lincoln International LLC  
Madison Square Garden, Inc.  
MasterCard Incorporated  
National Collegiate Athletic Association  
National Hockey League  
New York Knicks  
New York Rangers  
New York Times Co.  
Northrop Grumman Corporation  
PHH Corporation  
PepsiCo Inc.  
Pittsburgh Penguins  
Planned Parenthood Federation  
Raytheon Company  
Reed Elsevier  
SAP AG  
Sierra Club  
Sinclair Broadcast Group, Inc.  
Sociedad Quimica y Minera  
Square Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
U.S. Bancorp  
United Steelworkers  
Wal-Mart Stores Inc.  
Yahoo! Inc.  
Zillow Inc.  
eBay Inc.

#### GOVERNMENT AGENCIES

Securities and Exchange Commission  
U.S. Supreme Court  
U.S. Department of Justice  
U.S. Department of Labor  
European Commission  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Reserve System  
Federal Trade Commission  
Office of the Comptroller of the Currency

U.S. Army  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of the Interior  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Land Management  
Consumer Financial Protection Bureau  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Emergency Management Agency  
Federal Energy Regulatory Commission  
Federal Housing Finance Agency  
Food and Drug Administration  
Immigration and Customs Enforcement  
Internal Revenue Service  
National Credit Union Administration  
New York Attorney General's Office  
New York State Department of Financial Services  
Office of the Director of National Intelligence  
Puerto Rico Ports Authority  
U.S. Attorney's Office  
U.S. Consumer Product Safety Commission  
U.S. Department of Agriculture  
U.S. Department of Veterans Affairs  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. Patent and Trademark Office  
U.S. Senate  
World Bank Group  
Wyoming Attorney General's Office

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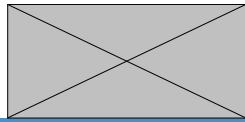
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 7/18/2016 8:21:58 AM  
**Subject:** [Marketing Mail] 5 Tax Policy Developments To Watch In The 2nd Half Of 2016



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**Monday, July 18, 2016**

## TOP NEWS

### 5 Tax Policy Developments To Watch In The 2nd Half Of 2016

In the second half of 2016, tax practitioners are anticipating a number of key regulations promised by the Internal Revenue Service affecting partnerships, foreign financial institutions and Native American tribes. Here, Law360 takes a look at five important regulations expected before the end of the year.

### Debt Collection Rules Could Debut At July 28 CFPB Hearing

The Consumer Financial Protection Bureau announced Friday it will hold a field hearing on debt collection July 28 in Sacramento, California, an event that could see the bureau unveil a new proposal for regulating debt collection firms.

### EPA Slashes Methane Emissions At Existing, New Landfills

The U.S. Environmental Protection Agency on Friday finalized rules to reduce methane emissions at existing, new, reconstructed and modified landfills, the latest step in the Obama administration's efforts to combat climate change by lowering the country's output of greenhouse gases.

### Dems Float Proposal To Ease Barriers For Asylum Seekers

Democratic leaders introduced bicameral legislation Thursday that they said would strengthen and update the country's laws to promote a more just and streamlined asylum and refugee process, saying the bill is needed in light of the global refugee crisis.

### TTIP Talks Wrap With Both Sides Pressing For More Urgency

Officials completed the latest round of Transatlantic Trade and Investment Partnership talks Friday as the U.S. side pushed for swift reduction to outstanding tariff lines while the European Union prodded the U.S. to budge on longstanding irritants like geographical indications and government procurement.

### Ex-Pa. Gov. Corbett Can't Dodge 'Computergate' Suit

A Pennsylvania federal judge on Friday refused to toss a suit accusing former Pennsylvania Gov. Tom Corbett of maliciously prosecuting a former staff member in the state House amid the so-called "Computergate" scandal, in which legislators allegedly used taxpayer dollars to purchase campaign equipment.

## ANALYSIS

## LAW FIRMS

Altshuler Berzon  
Baker Botts  
Balch & Bingham  
Bordas & Bordas  
Bowman and Brooke  
Bradley Murchison  
Cleary Gottlieb  
Cozen O'Connor  
Cravath Swaine  
Dechert  
Dentons  
Dewey & LeBoeuf  
Dover Dixon  
Earthjustice  
Faegre Baker  
Finnegan  
Fish & Richardson  
Foley & Lardner  
Fredericks Peebles  
Gibson Dunn  
Harris Wiltshire  
Haynes and Boone  
Hinshaw & Culbertson  
Hogan Lovells  
Holland & Knight  
Hunton & Williams  
Hyman Phelps  
Jenner & Block  
Jones Day  
K&L Gates  
Katten Muchin  
Keller and Heckman  
King & Spalding  
Kirkland & Ellis

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## 4 Takeaways From FCC's Spectrum Opening For 5G

The Federal Communications Commission voted unanimously Thursday to make a large new chunk of high-band spectrum available to wireless providers and other tech companies in what experts say is a critical move to allow innovators to develop the next generation of wireless technology. Here, Law360 looks at four takeaways from the FCC's vote.

## BANKING & SECURITIES

### Gibson Dunn Booted From Tilton's 2nd Circ. SEC Challenge

Gibson Dunn will not represent private equity magnate Lynn Tilton as she seeks to revive her challenge to the U.S. Securities and Exchange Commission's in-house court, the Second Circuit said just weeks after the firm took on the case.

### Top FINRA Governor, Ex-Vanguard Exec, Named Chairman

The Financial Industry Regulatory Authority announced that it its lead governor, John J. "Jack" Brennan, a former chairman of asset management firm The Vanguard Group Inc., would become the private regulator's chairman in August when its current one retires.

## ENERGY & ENVIRONMENTAL

### Calif. Officials Propose Safety Regs For Oil Refineries

California officials proposed new regulations Thursday aimed at strengthening environmental and workplace safety at oil refineries, including beefing up company accountability for equipment, in the wake of the 2012 Chevron Corp. refinery fire.

### EPA's Texas Haze Plan Stayed By 5th Circ.

The Fifth Circuit on Friday stayed the U.S. Environmental Protection Agency's plan to require improved visibility at national parks and wilderness areas in Texas through pollution controls at certain power plants.

### Navy Sonar Permit Flouts Marine Life Protection Law: 9th Circ.

The Ninth Circuit in a precedential ruling Friday concluded that the federal government did not comply with a law meant to protect marine mammals when authorizing the U.S. Navy's use of sonar during peacetime.

### Industry, Green Groups Slam EPA's Defense Of Coal Ash Rule

A coalition of electric utilities and coal and concrete companies on Thursday urged the D.C. Circuit to alter a provision in the U.S. Environmental Protection Agency's coal ash rule they say improperly regulates toxic material at power plants' inactive storage sites, while environmental groups continued their challenge that the rule will not do enough.

## TRANSPORTATION & INFRASTRUCTURE

### Auto Industry Whistleblower Bill Approved By House

A bill that incentivizes whistleblowers in the auto industry to come forward with information on motor vehicle defects or violations of federal safety laws cleared the U.S. House of Representatives on Wednesday.

### Freight Rail Cos. Urge FRA To Ditch Proposed Train Crew Rule

Freight railroad carriers on Friday urged the U.S. Department of Transportation's Federal Railroad Administration to abandon its proposed rule requiring trains to have two-person operating crews, saying the mandate would be a sweeping, costly and redundant and hasn't been proven to enhance safety.

### Sen. Thune Wants Answers On Tesla Autopilot Technology

Lowenstein Sandler  
Mayer Brown  
Mintz Levin  
Morgan Lewis  
Morrison & Foerster  
Norton Rose Fulbright  
O'Melveny & Myers  
Orrick Herrington  
Patterson Belknap  
Pepper Hamilton  
Perkins Coie  
Proskauer Rose  
Reed Smith  
Robins Kaplan  
Schiff Hardin  
Seward & Kissel  
Seyfarth Shaw  
Sherin and Lodgen  
Shook Hardy  
Sidley Austin  
Skadden  
Sutherland Asbill  
Thompson & Knight  
Troutman Sanders  
Venable LLP  
White & Case  
Wiley Rein  
Wilkinson Barker  
Willkie Farr  
WilmerHale

## COMPANIES

AT&T Inc.  
Altman Weil Inc.  
America Fujikura Ltd.  
American Bar Association  
American Federation of Labor and Congress of Industrial Organizations  
American Immigration Lawyers Association  
Bank of America Corporation  
CSX Corporation  
Chevron Corporation  
Comcast Corporation  
Consumer Reports  
Deloitte Touche  
Energy Future Holdings  
Exponent, Inc.  
Financial Industry Regulatory Authority Inc.  
Fosun International Ltd.  
Friedman LLP

CLV000496

U.S. Sen. John Thune, R-S.D., on Thursday asked Tesla Motors Inc. CEO Elon Musk to provide answers on how the company is handling the recent fatal Florida crash involving a Model S in semi-self-driving mode with its "Autopilot" system engaged, wanting additional assurances that the technology was deployed safely.

## REAL ESTATE

### Rite Aid Challenges NY Tax Rule At Supreme Court

Rite Aid Corp. wants the U.S. Supreme Court to take on New York appellate rulings that purportedly uphold discriminatory local taxation regimes in which company stores pay based on leases rather than on the much cheaper underlying property.

## EMPLOYMENT

### Labor Dept. Will Probe Colombia's Trade Deal Compliance

The U.S. Department of Labor on Friday launched an investigation of Colombia's compliance with the labor chapter of the two countries' bilateral trade agreement, forging ahead with a case filed by a coalition of Colombian unions alongside the AFL-CIO.

## PRODUCT LIABILITY

### Smokers' Rights Groups Sue FDA Over New Tobacco Regs

The Cigar Association of America and other smokers' rights groups sued the U.S. Food and Drug Administration in D.C. federal court on Friday, alleging a recently finalized rule expanding the agency's tobacco regulatory ability would illegally restrict new tobacco products.

## INTERNATIONAL TRADE

### EU 'Acknowledges' South China Sea Award

The European Union said Friday it acknowledged an international tribunal's award overwhelmingly favoring the Philippines in a dispute with China over rights in the South China Sea, though the bloc took no position on sovereignty questions and named neither country.

### Honduras Action Nudges WTO Pact Closer To Enactment

The Honduran government has ratified a World Trade Organization pact to streamline customs procedures and slash red tape at the border around the globe, pushing the agreement ever closer to the threshold required for it to enter into force, the WTO announced Friday.

## TAX

### IRS Finalizes Tax-Exempt Bond Rules After 3 Tries

The Internal Revenue Service issued final regulations Friday on arbitrage restrictions that apply to tax-exempt bonds issued by state and local governments, after previously proposing amendments to existing regulations three times in 2007, 2013 and 2015.

### IRS Dredges Out Safe Harbor For Distributing Corporations

The Internal Revenue Service will accommodate a new safe harbor in tax-free corporate distributions, the agency said Friday, expanding on existing guidance about how companies can engage in tax-free spinoffs.

Frontier Communications Corporation  
General Motors  
Genesee & Wyoming, Inc.  
Google Inc.  
Home Depot, Inc.  
KBR, Inc.  
Level 3 Communications Inc.  
Luminant Generation Co. LLC  
Microsoft Corporation  
Mylan NV  
Natural Resources Defense Council  
Nissan Motor Company  
Nucor Corporation  
O'Connor & Associates  
Plantronics Inc.  
Public Knowledge  
Rite Aid Corporation  
Safeway Inc.  
San Francisco Giants  
Sierra Club  
Takata Corp.  
Tesla Motors Inc.  
The Bank of New York Mellon Corporation  
The Medicines Company  
Toyota Motor Corporation  
Verizon Communications  
Volkswagen  
Wal-Mart Stores Inc.  
Walmart Co.  
Warner Chilcott Limited  
Xcel Energy Inc.

## GOVERNMENT AGENCIES

Bureau of Indian Affairs  
California Environmental Protection Agency  
Chemical Safety and Hazard Investigation Board  
Consumer Financial Protection Bureau  
Defense Contract Audit Agency  
Department of Commerce  
Drug Enforcement Administration  
Equal Employment Opportunity Commission  
European Commission  
Federal Communications Commission  
Federal Railroad Administration  
Federal Trade Commission

## **GOP Bill Would Require 'Physical Presence' For Sales Taxes**

Rep. James Sensenbrenner, R-Wis., introduced a bill Thursday that would prohibit states from imposing sales taxes on companies and other entities who aren't "physically present" within the state during the taxing period in question.

### **NATIVE AMERICAN**

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## **Law Blocking Tribal Casino Fight Constitutional, DC Circ. Says**

The D.C. Circuit on Friday upheld the dismissal of a Michigan man's challenge to a tribe's casino project on neighboring land, ruling that a federal law specifically passed to prevent a federal court from hearing the case is constitutional.

### **TELECOMMUNICATIONS**

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## **Frontier Pushes Small Provider Set-Top Exemption At FCC**

Frontier Communications Corp. and a midsize telecommunications company trade group called for the Federal Communications Commission to carve out smaller providers from its proposal to unlock set-top boxes, saying in a letter Thursday the existing proposal could push smaller cable companies out of the market.

## **Level 3 Tells FCC 'No Actual Competition' In Biz Data**

Telecom services provider Level 3 Communications LLC told the Federal Communications Commission on Thursday that there is no actual competition in delivering business data services, urging the agency to only classify a relevant market as competitive under certain circumstances.

### **EXPERT ANALYSIS**

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## **Defense Cos. Should Be Up In Arms Over Bid Protest Reform**

The Senate Armed Services Committee renewed its battle against the bid protest process in the 2017 National Defense Authorization Act. This latest attempt would erode a pillar of oversight that has long been a key to maintaining a credible, transparent and competitive acquisition system, says Jon Burd of Wiley Rein LLP.

## **The FTC's Entry Into Rooftop Solar Consumer Protection**

While the Federal Trade Commission is only beginning to examine consumer protection issues like misleading advertising and high-pressure sales tactics in the rooftop solar industry, its recent workshop is a clear indicator that it plans to be more active in this industry in the future, say attorneys at WilmerHale.

## **Defending Against A New Generation Of Toxic Torts**

The Toxic Substance Control Act's new testing mandates and relaxed protections for confidential business information will provide plaintiffs with government-generated ammunition to support even more "toxic soup" cases against chemical manufacturers, says Richard Morgan at Bowman and Brooke LLP.

## **OSHA Eyes Health Care Industry With Injury Reporting Rule**

The Occupational Safety and Health Administration's new recordkeeping rule specifically includes the health care industry as one of the "high-risk industries" required to report illnesses and injuries. Attorneys at Haynes and Boone LLP explain the rule's specific requirements for health care companies, including changes regarding employee notice and relation.

## **Lessons On SEC's Customer, Whistleblower Protection Efforts**

The significant sanctions imposed recently against Merrill Lynch for violations of customer and whistleblower protection rules, and the accompanying announcement of a customer protection initiative, demonstrate the U.S. Securities and Exchange Commission's serious focus on these areas. The situation of

Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
Match-E-Be-Nash-She-Wish Band of Pottawatom  
National Highway Traffic Safety Administration  
National Marine Fisheries Service  
National Transportation Safety Board  
Occupational Safety and Health Administration  
Securities and Exchange Commission  
U.S. Department of Defense  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Navy  
U.S. Supreme Court  
United Nations

compliance staff, however, remains uncertain in the wake of Merrill, say attorneys with King & Spalding LLP.

### **New COD Rules For Disregarded Entities Are Restrictive**

Recently released IRS regulations applying the bankruptcy exclusion to cancellation-of-debt income of a grantor trust or a disregarded entity are contrary to U.S. Tax Court holdings and prevent taxpayers from taking advantage of the COD rules, says Lisa Petkun of Pepper Hamilton LLP.

## **LEGAL INDUSTRY**

### **5 Tips For When GCs Balk At The Bill**

Fee complaints from general counsel can often feel like they're diminishing the hard work that goes into a legal matter, but experts advise attorneys to save their personal feelings for later and work to solve a dispute without damaging a client relationship. Here, experts share five steps lawyers can take to defuse a fee dispute before it explodes.

### **3 Keys To Making Partner And Loving It Once You Do**

Making partner can seem like the only goal for an associate in BigLaw, and earning that promotion can be arduous, but there are certain traits you can work on to possibly speed up the process and ensure you maintain a sense of fulfillment in your work once you get there.

### **5 Reasons It's Tough To Be A Trial Lawyer**

Trial lawyers experience professional thrills that few other attorneys can fathom as the strategy and human drama of a trial play out — but there's another side to that coin. Here, top trial attorneys tell Law360 about the worst parts of a courtroom warrior's job.

### **Orrick Will Help Associates Pay Student Loans**

As a number of young lawyers pour their paychecks into student loans, some law firms have stepped up to the plate and taken action, with one firm announcing Friday that it plans to go as far as offering associates repayment assistance.

### **Dewey Exec, DA Fight Over Shape Of Coming Retrial**

Prosecutors and a former Dewey & LeBoeuf LLP executive traded barbs Friday in New York state court over the parameters of the coming retrial of two of the failed law firm's ex-leaders who stand accused of defrauding lenders and investors before its downfall, with both sides seeking to preserve key trial strategies and pieces of evidence.

### **Mintz Levin Jumps On BigLaw Salary Bump Bandwagon**

BigLaw's seemingly endless yearning for compensation conformity in the wake of Cravath Swaine & Moore LLP raising yearly salaries saw Mintz Levin Cohn Ferris Glovsky & Popeo PC join the party on Friday.

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

The U.S. can't access Microsoft customer data stored overseas, the Trans-Atlantic Privacy Shield data pact is finally a done deal, and a tech company's fine for document destruction sets a record. Those stories top the corporate legal news you may have missed last week.

### **3rd Circ. Upholds Dismissal Of Challenge To NJ Bar Rules**

The Third Circuit on Thursday affirmed the dismissal of a suit by an attorneys' group seeking to overturn bar admission rules in New Jersey federal court for out-of-state lawyers, saying the district court's rules do not conflict with federal laws and "are neither unique nor particularly restrictive."

### **NY Judges Shouldn't Oversee Cases Of Old Firm Clients**

New York judges should recuse themselves for two years from cases involving a former firm client, a state ethics committee said Thursday, even if the party is now

represented by a different firm and is involved in a separate case.

## Global 20: Reed Smith

Reed Smith LLP's international network of offices have coordinated to fend off bondholder attacks against BNY Mellon in the Argentina bond default litigation and to seal billions of dollars of transactions for clients in China and elsewhere, helping land the firm on Law360's Global 20 list.

## In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

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[Altshuler Berzon](#)  
[Baker Botts](#)  
[Balch & Bingham](#)  
[Bordas & Bordas](#)  
[Bowman and Brooke](#)  
[Bradley Murchison](#)  
[Cleary Gottlieb](#)  
[Cozen O'Connor](#)  
[Cravath Swaine](#)  
[Dechert](#)  
[Dentons](#)  
[Dover Dixon](#)  
[Earthjustice](#)  
[Faegre Baker](#)  
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American Immigration Lawyers Association  
Bank of America Corporation  
CSX Corporation  
Chevron Corporation  
Comcast Corporation  
Consumer Reports  
Energy Future Holdings  
Exponent, Inc.  
Fosun International Ltd.  
Friedman LLP  
Frontier Communications Corporation  
General Motors

Genesee & Wyoming, Inc.  
Home Depot, Inc.  
KBR, Inc.  
Level 3 Communications Inc.  
Luminant Generation Co. LLC  
Microsoft Corporation  
Mylan NV  
Natural Resources Defense Council  
Nissan Motor Company  
Nucor Corporation  
O'Connor & Associates  
Plantronics Inc.  
Public Knowledge  
Rite Aid Corporation  
Safeway Inc.  
San Francisco Giants  
Sierra Club  
Takata Corp.  
Tesla Motors Inc.  
The Bank of New York Mellon Corporation  
The Medicines Company  
Toyota Motor Corporation  
Wal-Mart Stores Inc.  
Walgreen Co.  
Warner Chilcott Limited  
Xcel Energy Inc

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
Internal Revenue Service  
Securities and Exchange Commission  
Federal Trade Commission  
U.S. Environmental Protection Agency  
U.S. Supreme Court  
Federal Communications Commission  
Food and Drug Administration  
Occupational Safety and Health Administration  
U.S. Department of Transportation  
U.S. Department of the Interior  
Bureau of Indian Affairs  
California Environmental Protection Agency  
Chemical Safety and Hazard Investigation Board  
Consumer Financial Protection Bureau  
Defense Contract Audit Agency  
Department of Commerce  
Drug Enforcement Administration  
Equal Employment Opportunity Commission  
European Commission  
Federal Railroad Administration  
Government Accountability Office  
Match-E-Be-Nash-She-Wish Band of Pottawatomi

National Highway Traffic Safety Administration  
National Marine Fisheries Service  
National Transportation Safety Board  
U.S. Department of Defense  
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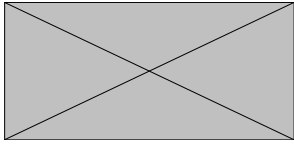
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 9/20/2018 8:00:32 AM  
**Subject:** Kavanaugh Assault Hearing Could Devolve Into Chaos



**PUBLIC POLICY.**

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**Thursday, September 20, 2018**

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## TOP NEWS

### Analysis

#### **Kavanaugh Assault Hearing Could Devolve Into Chaos**

The Senate Judiciary Committee's hearing on the sexual misconduct allegations against D.C. Circuit Judge and U.S. Supreme Court nominee Brett Kavanaugh will have the trappings of a trial but lack a court proceeding's rules. [Read full article »](#)

#### **Gorsuch Was The Least Responsive Nominee In Decades**

New research has concluded that U.S. Supreme Court Justice Neil Gorsuch was less responsive to questions during his confirmation hearings than any justice since 1968 and departed significantly from the so-called Ginsburg Rule, with the study's authors saying Judge Brett Kavanaugh is likely in the same vein. [Read full article »](#)

### Analysis

#### **Trump Methane Rollbacks Hand Regulatory Reins To States**

The rollback of Obama-era restrictions on venting and flaring from gas wells on federal and tribal lands is the latest sign the Trump administration intends to hand off the job of regulating methane emissions to states, some of which are expected to be lax while others may craft more stringent methane rules, experts say. [Read full article »](#)

#### **Sessions To Review Bond Hearings For Certain Immigrants**

U.S. Attorney General Jeff Sessions has referred another Board of Immigration Appeals case to himself for review, seeking to examine the authority of immigration judges to hold bond hearings for certain immigrants screened from expedited deportation proceedings. [Read full article »](#)

#### **DOD Goes On Offense In New Cyber Strategy**

The U.S. Department of Defense on Tuesday issued a new cyber strategy that allows for the increased use of offensive cyberattacks, as its focus turns towards cyber competition with China and Russia. [Read full article »](#)

## BANKING & SECURITIES

#### **For-Profit Exchanges Harming Investors: SEC Commissioner**

U.S. Securities and Exchange Commissioner Robert Jackson on Wednesday called for regulators to take off the "kid gloves" and increase oversight of U.S. stock exchanges, arguing that for-profit exchanges are harming investors through practices that undermine fair competition. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

#### **NJ Enviro Agency Beats Developer's Suit Over Wetlands**

A New Jersey appeals court on Wednesday sided with the state's Department of

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Earthjustice  
Fox Rothschild  
GrayRobinson  
Haglund Kelley LLP  
Holland & Knight  
Jones Day  
Katz Marshall  
Kelley Drye  
Kohn Kohn  
Kurzban Kurzban  
Labaton Sucharow  
Lewis Longman  
Lieff Cabraser  
Littler Mendelson  
Lynn Pinker  
Mayer Brown  
Native American Rights Fund

CLV000504

Environmental Protection in a challenge to a bar on development for three residential lots, saying the developer could not show how the agency's designation of the property as wetlands constituted trespass and ejectment. [Read full article »](#)

### **EPA Asks 5th Circ. To Uphold Effluent Rule Delay**

The U.S. Environmental Protection Agency has asked the Fifth Circuit to uphold its decision to postpone parts of an Obama-era rule that set limits on how much toxic metal can be discharged with power plants' wastewater, an action environmental groups have said is illegal. [Read full article »](#)

### **States Fight To Keep EPA In Suit Over Landfill Emissions**

A group of states on Tuesday asked a California federal judge not to dismiss their lawsuit alleging that the U.S. Environmental Protection Agency violated the Clean Air Act by failing to impose Obama-era regulations limiting emissions from municipal landfills. [Read full article »](#)

### **Fla. Enviro's Want Order Freeing Land Buying Funds Enforced**

Environmental groups that won a state court judgment in June finding Florida misspent hundreds of millions of dollars in conservation land acquisition funds asked the Tallahassee circuit court Wednesday to lift a stay on the judgment while the state appeals. [Read full article »](#)

### **Alaska Tells DC Circ. Not To Halt 'Roadless Rule' Case**

Alaska asked the D.C. Circuit not to pause an appeal in the state's long-running challenge to the 2001 "roadless rule" aimed at limiting road construction in national forests, arguing that a rulemaking effort by the U.S. Department of Agriculture can't address all its concerns. [Read full article »](#)

### **Calif., NM Sue Interior Over Reversal Of Methane Rule**

On the same day the U.S. Department of the Interior finalized a plan to reverse much of an Obama-era rule that sought to reduce methane release from oil and gas operations on federal and tribal lands, California and New Mexico challenged the rollback as harmful and unsupported by facts. [Read full article »](#)

## **CYBERSECURITY & PRIVACY**

### **Hackers Probed But Didn't Breach Conn. Utilities, Report Says**

Hackers launched hundreds of millions of failed attempts to breach Connecticut's public water, energy and grid systems over the past year and despite the state's successful defense, a data breach poses a substantial risk, according to a new report. [Read full article »](#)

### **Reps. Press Google On YouTube's Use Of Kids' Data**

A bipartisan pair of House lawmakers are pressing Google to detail how YouTube handles personal information belonging to children who use the popular video-sharing service, saying that a recent complaint filed with the Federal Trade Commission raised serious questions over whether the site is in step with the Children's Online Privacy Protection Act. [Read full article »](#)

## **CONSUMER PROTECTION**

### **Towing Co. Fees Exceeded Pittsburgh Limits, Suit Says**

A Pittsburgh towing company violated city rules and Pennsylvania's consumer protection laws by charging more than allowed when towing unattended vehicles from private parking lots, and Home Depot knew the company was questionable but contracted with it anyway, according to a proposed class action lawsuit filed in state court on Tuesday. [Read full article »](#)

## **INTERNATIONAL TRADE**

Nixon Peabody  
O'Melveny & Myers  
Pillsbury Winthrop  
Richardson Patrick  
Schiff Hardin  
Seyfarth Shaw  
Sidley Austin  
Simpson Thacher  
Sonosky Chambers  
Sullivan & Cromwell  
Thornton Law Firm LLP  
Valli Kane  
Vinson & Elkins  
Yurko Salvesen  
Zuckerman Spaeder

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Amazon.com Inc.  
American Bar Association  
American Immigration Lawyers Association  
Bank of America Corporation  
CIT Group Inc.  
Charter Communications Inc.  
Coinbase Inc.  
Consumer Watchdog  
Cox Communications Inc.  
Eastman Kodak Co.  
Environmental Defense Fund Inc.  
Environmental Integrity Project  
Eversource Energy  
Fannie Mae  
Ferro Corp.  
Google Inc.  
GrubHub Inc.  
Home Depot Inc.  
Lyft Inc.  
Microsoft Corporation  
Mitsubishi Chemical Holdings  
Mortgage Bankers Association  
NASDAQ OMX Group Inc.  
National Association of Broadcasters  
National Parks Conservation Association  
Natural Resources Defense Council  
OneWest Bank Group LLC  
Physicians for Social Responsibility  
Royal Dutch Shell PLC  
Sierra Club

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## Canada Returns To NAFTA Table Amid GOP Frustration

The Trump administration resumed its North American Free Trade Agreement negotiations with Canada on Wednesday as key Republican lawmakers began to express impatience with Ottawa's reluctance to join the political-level agreement between the U.S. and Mexico. [Read full article »](#)

## US Finalizes Hefty Tariffs On Chinese Sodium Compound

The U.S. Department of Commerce released its final determinations for two sets of tariffs on Chinese sodium compounds used in food additives, pharmaceuticals and cosmetic products, setting steep duty rates on the ingredients after finding they were sold at unfairly low prices in the U.S. market. [Read full article »](#)

## Commerce Sets Up Final Duties On Imported Plastic Resin

The U.S. Department of Commerce on Tuesday found that imports of plastic resin from five countries have been sold at unfairly low prices, calling for tariffs ranging upward of 275 percent to offset the imports' advantage in the U.S. market. [Read full article »](#)

## TAX

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## CPAs Ask IRS For Penalty Relief Under Transition Tax Rules

IRS guidance on the new transition tax on foreign earnings hasn't yet answered questions that individuals, trusts and estates have about their tax liabilities, according to an accounting trade body's letter to the government urging relief from penalties for these groups. [Read full article »](#)

## SC Senators Adopt Fed. Tax Conformity Compromise

A South Carolina Senate subcommittee charged with finding common ground on the adoption of state tax conformity with last year's federal tax overhaul pushed forward on Tuesday a compromise bill that offers up to \$8,220 in exemptions for dependents. [Read full article »](#)

## IMMIGRATION

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## Keep Haitians' Status Suit, 17 States Tell NY Court

A group of 17 states and the District of Columbia filed an amicus brief in New York federal court Wednesday backing a legal challenge to a decision by President Donald Trump and the U.S. Department of Homeland Security to end temporary protected status for Haitians. [Read full article »](#)

### Analysis

## Deportation Surge Feared After Sessions' Immigration Ruling

U.S. Attorney General Jeff Sessions' Tuesday decision mostly revoking immigration judges' power to dismiss or terminate removal proceedings undercuts their discretionary powers and accelerates deportations, according to attorneys. [Read full article »](#)

## NATIVE AMERICAN

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## Alaska Natives Back Feds In Row Over Hovercraft Ban

Alaska Native tribes and groups have urged the U.S. Supreme Court to uphold the National Park Service's right to apply its hovercraft ban on an Alaska river, saying that taking away the federal government's power to regulate certain waters in the state could destroy Alaska Natives' traditional subsistence fishing. [Read full article »](#)

## TELECOMMUNICATIONS

Sinclair Broadcast Group, Inc.  
State Street Corp.  
Tribune Media Co.  
U.S. Chamber of Commerce  
Washington Post Co.  
YouTube Inc.  
eBay Inc.

## GOVERNMENT AGENCIES

Alaska Department of Law  
Bureau of Citizenship and Immigration Services  
Bureau of Land Management  
California Air Resources Board  
Consumer Financial Protection Bureau  
Council on Environmental Quality  
Department of Commerce  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Reserve System  
Federal Trade Commission  
Florida Department of Agriculture and Consumer Services  
Florida Department of Environmental Protection  
Florida State Senate  
Government Accountability Office  
Internal Revenue Service  
International Trade Administration  
International Trade Commission  
NAFTA  
National Credit Union Administration  
National Labor Relations Board  
National Park Service  
National Telecommunications and Information Administration  
New Jersey Department of Environmental Protection  
Office of the Comptroller of the Currency  
Securities and Exchange Commission  
Small Business Administration  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security

## Interview

### NTIA's Redl Says Spectrum Sharing Is The Future Of 5G

For National Telecommunications and Information Administration head David Redl, the government's vast land and spectrum holdings are an untapped resource that can help make 5G a reality. [Read full article »](#)

### Pai Says FCC Still Probing Sinclair's Honesty In Tribune Deal

Federal Communications Commission Chairman Ajit Pai has told lawmakers that the agency's in-house judge is still reviewing allegations that Sinclair Broadcast Group Inc. was not honest in its attempt to acquire the Tribune Media Co., according to a letter released Wednesday. [Read full article »](#)

### FCC Must Rein In Local Cable Franchise Fees, Groups Say

The Federal Communications Commission should clarify that internet services provided by cable companies are generally not subject to fees imposed by local franchising authorities, according to public comments posted Tuesday and Wednesday. [Read full article »](#)

### FCC Clears Nominet To Run TV 'White Space' Database

The FCC has found database operator Nominet fit to operate technology used to monitor spectrum bands held by broadcasters in order to direct unlicensed users toward unused gaps on the airwaves. [Read full article »](#)

## WHITE COLLAR

## Analysis

### Award Caps Would Weaken Whistleblower Program, SEC Told

Whistleblowers and their attorneys claim the U.S. Securities and Exchange Commission's proposal to reduce significant awards would give tipsters little reason to put their livelihoods at risk by exposing corporate wrongdoing, according to public comments submitted before a Sept. 18 deadline. [Read full article »](#)

## EXPERT ANALYSIS

### When Defamation Is Cause To Overturn An Election

The current gubernatorial race in Rhode Island features one candidate threatening a defamation lawsuit against another. But California and Oregon offer candidates an additional remedy — the ability to have an election overturned if it can be proved that defamatory speech swayed voters enough to affect the results, say Mitchell Langberg and Matthew McKissick of Brownstein Hyatt Farber Schreck LLP. [Read full article »](#)

## Opinion

### Congress Shouldn't Overturn eBay Patent Injunction Standard

A bill pending in Congress would overturn the U.S. Supreme Court's 2006 decision in *eBay v. MercExchange*, which held that a patent owner that succeeds in proving infringement isn't automatically entitled to an injunction. To understand why the proposal should be rejected, it's important to recognize that patent law is all about balance, says Thomas Cotter, a professor at the University of Minnesota Law School. [Read full article »](#)

### The Diminishing Role Of Agency Guidance

An interagency statement issued by several banking agencies last week — that supervisory guidance does not have the force and effect of law — reflects the current administration's deregulatory agenda. But ultimately, the agencies' newly stated position may have little practical impact, say attorneys with Arnold & Porter. [Read full article »](#)

### Trademark Preliminary Injunction Issues Arrive At Congress

This month, intellectual property law associations asked Congress to fix evidentiary

U.S. Department of Justice

U.S. Department of State

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. Immigration and Customs Enforcement

U.S. Patent and Trademark Office

U.S. Supreme Court

problems in preliminary injunction motions in trademark cases. This is a tale of two histories — the principles of equity, and the practice and practicalities of trademark preliminary injunction motions, says Richard Kirkpatrick of Pillsbury Winthrop Shaw Pittman LLP. [Read full article »](#)

#### Series

### **Navigating NLRB: Nature Of Work Has Changed, NLRA Hasn't**

Employers, unions and workers have not sat down together to have a meaningful and constructive conversation about the economic imperatives of the 21st century in at least 10 years. In the meantime, the nature and character of work itself has been changing at lightning speed, says Marshall Babson, former member of the National Labor Relations Board and counsel at Seyfarth Shaw LLP. [Read full article »](#)

#### Q&A

### **Back To School: Stanford's Jeff Fisher Talks Supreme Court**

In this series featuring law school luminaries, Stanford Law School professor Jeffrey Fisher discusses his motivation for teaching, arguing before the U.S. Supreme Court and what the court might look like if Judge Brett Kavanaugh is confirmed. [Read full article »](#)

## LEGAL INDUSTRY

### **4 Shot, Gunman Killed At Pa. Magistrate Judge's Office**

A man shot and wounded four people at the Fayette County, Pennsylvania, office of a magisterial district judge on Wednesday before police shot and killed him, police and emergency officials said. [Read full article »](#)

### **Ex-Mitsubishi Atty Claims Sex Bias Led To Her Ouster**

A Mitsubishi Chemical Corp. unit illegally refused to promote one of its top attorneys to general counsel because of her gender and fired her under false pretenses after she complained about the conglomerate's discriminatory treatment of women, according to a suit in New York federal court. [Read full article »](#)

### **Simpson Thacher And Recruiting Firm Settle Payment Row**

Simpson Thacher & Bartlett LLP and a legal recruiter on Tuesday confidentially settled a nearly \$1 million dispute in Manhattan federal court over the firm's alleged nonpayment for the placement of a bankruptcy partner, closing the book on a sticky discovery dispute regarding internal firm communications. [Read full article »](#)

### **ABA To Lawyers: Don't Forget Ethics During A Hurricane**

The American Bar Association issued an opinion Wednesday reminding lawyers of their obligations to clients following large-scale natural disasters, a move prompted by Hurricane Florence unleashing havoc on the Carolinas. [Read full article »](#)

### **Labaton, ERISA Attys Reach Tentative Deal In \$75M Fee Fight**

The special master appointed to investigate a \$75 million attorneys' fee awarded in a \$300 million settlement with State Street Corp. has reached a tentative agreement with the lead class counsel, Labaton Sucharow LLP, and Employee Retirement Income Security Act lawyers involved in the case, according to a filing late Tuesday in Massachusetts federal court. [Read full article »](#)

### **Coinbase Hires Ex-O'Melveny Partner As Chief Legal Officer**

The cryptocurrency exchange platform Coinbase said Wednesday it has hired a former O'Melveny & Myers LLP managing partner who had been general counsel for Fannie Mae as its chief legal adviser. [Read full article »](#)

#### Q&A

### **Law Firm Leaders: Littler's Tom Bender And Jeremy Roth**

Thomas Bender and Jeremy Roth serve as co-presidents and co-managing partners of Littler Mendelson PC. The two leaders recently sat down with Law360 for a discussion covering major topics impacting the legal industry today, including diversity, evolving client demands and the merits of a law firm merger. [Read full article »](#)

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Covington & Burling  
Cyrus D. Mehta & Partners  
Davis Wright Tremaine  
Dilworth Paxson  
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Fox Rothschild  
GrayRobinson  
Haglund Kelley LLP  
Holland & Knight  
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Kelley Drye  
Kohn Kohn  
Kurzban Kurzban  
Labaton Sucharow  
Lewis Longman  
Lieff Cabraser  
Littler Mendelson  
Lynn Pinker  
Mayer Brown  
Native American Rights Fund  
Nixon Peabody  
Pillsbury Winthrop  
Richardson Patrick  
Schiff Hardin  
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Coinbase Inc.  
Consumer Watchdog  
Cox Communications Inc.  
Eastman Kodak Co.  
Environmental Defense Fund Inc.  
Environmental Integrity Project  
Eversource Energy  
Fannie Mae  
Ferro Corp.  
GrubHub Inc.  
Home Depot Inc.  
Lyft Inc.  
Microsoft Corporation  
Mitsubishi Chemical Holdings  
Mortgage Bankers Association  
NASDAQ OMX Group Inc.  
National Association of Broadcasters  
National Parks Conservation Association  
Natural Resources Defense Council  
OneWest Bank Group LLC  
Physicians for Social Responsibility  
Royal Dutch Shell PLC  
Sinclair Broadcast Group, Inc.  
State Street Corp.  
Tribune Media Co.  
U.S. Chamber of Commerce  
Washington Post Co.  
YouTube Inc.  
eBay Inc.

#### GOVERNMENT AGENCIES

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U.S. Department of Justice  
Department of Commerce  
Federal Communications Commission  
Securities and Exchange Commission  
U.S. Department of Homeland Security

Bureau of Land Management  
Federal Bureau of Investigation  
Federal Reserve System  
International Trade Commission  
U.S. Environmental Protection Agency  
Alaska Department of Law  
Bureau of Citizenship and Immigration Services  
California Air Resources Board  
Consumer Financial Protection Bureau  
Council on Environmental Quality  
Federal Deposit Insurance Corp.  
Federal Trade Commission  
Florida Department of Agriculture and Consumer Services  
Florida Department of Environmental Protection  
Florida State Senate  
Government Accountability Office  
Internal Revenue Service  
International Trade Administration  
NAFTA  
National Credit Union Administration  
National Labor Relations Board  
National Park Service  
National Telecommunications and Information Administration  
New Jersey Department of Environmental Protection  
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Small Business Administration  
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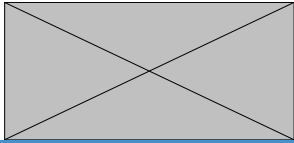
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 3/23/2018 7:57:11 AM  
**Subject:** Congress Averts Shutdown With \$1.3T Spending Package



**PUBLIC POLICY.**

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**Friday, March 23, 2018**

## TOP NEWS

### Congress Averts Shutdown With \$1.3T Spending Package

Congress has now approved a bill that would fund the government through September to the tune of \$1.3 trillion, with the Senate voting 65-32 early Friday to send legislation that would avoid a government shutdown to President Donald Trump. [Read more »](#)

### Lawmakers Ask Zuckerberg To Testify About Data Misuse

Facebook CEO Mark Zuckerberg is one step closer to testifying before Congress, after a House committee Thursday asked him to answer lingering questions about how his firm allowed a data research company with ties to President Donald Trump's 2016 campaign to harvest personal information on some 50 million Americans. [Read more »](#)

### Bolton To Replace McMaster As National Security Adviser

Lt. Gen. H.R. McMaster will resign as national security adviser and will be replaced by John R. Bolton, former U.S. ambassador to the United Nations, White House officials said Thursday. [Read more »](#)

### House OKs Changes For Air Passenger, Cargo Security Rules

The U.S. House of Representatives passed a series of bills Monday to update Department of Homeland Security policies for ground and air transportation, intent on establishing new strategies and pilot programs for security and terrorism prevention. [Read more »](#)

#### Analysis

### Impeachments Threaten Pa. Justices' Autonomy, Attys Say

The Pennsylvania Supreme Court's decision to unilaterally redraw state congressional districts has received intense blowback, including recent resolutions to impeach four justices who sided with the majority, but attorneys say the effort ignores the court's clear power to address constitutional violations and threatens to undermine judicial independence. [Read more »](#)

## BANKING & SECURITIES

### Fed Chair Says 'Fully Prepared' To Reach Banks Below \$250B

If Congress raises the asset size threshold for automatically applying enhanced prudential standards to banks, the Federal Reserve is "fully prepared" to subject

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CLV000512

some banks beneath that threshold to heightened regulatory scrutiny, too, Federal Reserve Chairman Jerome Powell said Wednesday. [Read more »](#)

### **CFTC Blasts Budget Cut, Says Chairman Takes It 'Personally'**

The U.S. Commodity Futures Trading Commission on Thursday excoriated Congress for cutting its funding in the \$1.3 trillion spending bill passed by the House of Representatives, while the U.S. Securities and Exchange Commission declined to comment about the modest boost it got from its congressional appropriators. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

### **In Rebuke To Trump, Spending Bill Boosts DOE Funding**

Congress answered the Trump administration's proposed cuts to the U.S. Department of Energy's research and development programs with funding boosts in its \$1.3 trillion omnibus spending bill, a sign of the bipartisan popularity of the DOE's cash that flows to lawmakers' states and congressional districts. [Read more »](#)

### **EPA Escapes Relatively Unscathed In Spending Bill**

The \$1.3 trillion spending bill passed by the House on Thursday rejected the Trump administration's call for dramatic cuts to the U.S. Environmental Protection Agency's 2018 budget, maintaining it at the current \$8 billion and shifting money around to provide more for water projects and Superfund cleanups. [Read more »](#)

### **Advocates Sue USDA Over Nix Of Organic Livestock Rule**

Several nonprofits sued the U.S. Department of Agriculture in California federal court Wednesday over its decision to withdraw an Obama-era rule on organic livestock and poultry practices, saying the move will weaken organic food production standards. [Read more »](#)

### **Enviros Fight Bid To Move Water Rule Delay Row To Texas**

Two environmental groups urged a New York federal judge on Wednesday to reject the federal government's attempt to send their lawsuit challenging the suspension of an Obama-era rule defining the Clean Water Act's reach to Texas, saying the government failed to show events in Texas led to the rule's delay. [Read more »](#)

## **HEALTH & LIFE SCIENCES**

### **4 Highlights From Congress' Two-Day Opioid Hearing**

Changes to opioid packaging and labeling were among the topics Wednesday and Thursday at hearings on the opioid crisis before the House Energy and Commerce Committee, which received input from federal health officials, health care providers and industry on two dozen bills aimed at curbing the massive opioid crisis. [Read more »](#)

## **IP & TECHNOLOGY**

### **Long-Term Gov't Funding Bill Includes \$3.5B For USPTO**

The omnibus federal spending bill passed by Congress on Thursday to keep the government operational includes \$3.5 billion earmarked for the U.S. Patent and Trademark Office, a slight uptick from the \$3.41 billion President Donald Trump called for in a 2019 budget unveiled last month. [Read more »](#)

### **FTC Commissioner Criticizes DOJ's Patent Approach**

Commissioner Terrell McSweeney of the Federal Trade Commission on Wednesday said it would be wrong for enforcers not to focus on patent holders in the standard-setting process, offering a bright contrast to recent policy pronouncements made by U.S. Department of Justice leadership. [Read more »](#)

Munger Tolles  
Outten & Golden  
Panish Shea  
Quinn Emanuel  
Rimon PC  
Slaughter and May  
Susman Godfrey  
Webb Law Firm  
White & Case  
Wiley Rein  
WilmerHale  
Wilson Sonsini

## **COMPANIES**

AT&T Inc.  
Air Transport Association of America  
Airbnb Inc.  
Allergan PLC  
American Cable Association  
American Civil Liberties Union  
American Council of Life Insurers  
American Farm Bureau Federation  
American Federation of Labor and Congress of Industrial Organizations  
American Petroleum Institute Inc.  
Apple Inc.  
Bank of America Corporation  
Broadcom Ltd.  
Business Roundtable  
CTIA  
Cable News Network Inc.  
Canadian National Railway Company  
Cartier SA  
Center for Biological Diversity Inc.  
CenturyLink Inc.  
Chipotle Mexican Grill, Inc.  
Cisco Systems Inc.  
Electronic Privacy Information Center  
Facebook  
Google Inc.  
HomeAway Inc.  
Major League Baseball Inc.  
Major League Baseball Players Association  
Merck & Co Inc.  
Microsoft Corporation  
Minor League Baseball  
Motorola Solutions Inc.

## TRANSPORTATION & INFRASTRUCTURE

### Fed. Spending Bill May Set Back Minor Leaguers' Wage Fight

The latest federal spending bill would deal a blow to efforts by professional baseball players in MLB's minor leagues to earn higher wages for their work, as the legislation includes language that would exempt minor leaguers from federal wage and hour laws. [Read more »](#)

### Infrastructure Gets \$21B Boost In House Spending Package

The House approved a \$1.3 trillion six-month omnibus spending package Thursday that would invest an additional \$21.2 billion on rebuilding infrastructure nationwide, including transportation, energy, water and cybersecurity projects, and reauthorize the Federal Aviation Administration through September. [Read more »](#)

### Transport Co. Owner Charged With Fraud, Laundering Millions

The owner of a Massachusetts-based transportation company, already facing an indictment for allegedly running a \$19 million Medicaid false claim scheme, was indicted on Wednesday by a Bay State grand jury on additional charges claiming he laundered millions of dollars, according to the state's attorney general. [Read more »](#)

## REAL ESTATE

### HomeAway Challenging Santa Monica License Law In 9th Circ.

HomeAway gave notice Wednesday to the Ninth Circuit that it is appealing a lower court decision denying its and Airbnb's bid to stop enforcement of a Santa Monica, California, ordinance requiring residents using the home-sharing websites to be licensed. [Read more »](#)

### NJ City Sued By Developer Over Rejected 90-Unit Project

The developer of a proposed 90-unit residential and retail complex has filed suit in New Jersey state court against the Union City Planning Board alleging it arbitrarily and capriciously rejected its plans to construct the project despite conforming to all local and state zoning laws. [Read more »](#)

## EMPLOYMENT

### Labor Agencies Avoid Sharp Budget Cuts In Spending Bill

The \$1.3 trillion omnibus spending bill that passed the House on Thursday spared the U.S. Department of Labor and the National Labor Relations Board from drastic budget reductions that had recently been proposed by the Trump administration. [Read more »](#)

### Budget Bill Won't Let Businesses Keep Workers' Tips

The federal spending bill that passed the U.S. House of Representatives Thursday includes a provision that would block the part of the U.S. Department of Labor's controversial tip pooling rule that lets employers keep workers' tips. [Read more »](#)

### Civil Rights Groups Press OMB For Answers On EEO-1 Form

Two civil rights groups sued the Office of Management and Budget on Wednesday, asking a D.C. federal court to make the agency release documents related to its decision to block an Equal Employment Opportunity Commission initiative aimed at finding gender- and race-based pay gaps. [Read more »](#)

### NJ Sick Leave Bill Advances Amid Health Worker Concerns

A New Jersey Assembly panel on Thursday advanced legislation that would require employers to provide earned sick leave to their workers in the state amid criticism that the proposed measure would not cover per-diem health care workers and thus put patients at risk. [Read more »](#)

National Association of Broadcasters

National Association of Home Builders

National Employment Law Project

National Restaurant Association

National Telephone Cooperative Association

National Wildlife Federation

National Women's Law Center

Natural Resources Defense Council

Newegg Inc.

Pfizer Inc.

Regents of the University of California

State Bar of California

Tax Foundation

Telecommunications Industry Association

Title Source Inc.

Twitter Inc.

U.S. Chamber of Commerce

Union Pacific Corporation

United Continental Holdings Inc.

United States Telecom Association

Wayfair LLC

## GOVERNMENT AGENCIES

Army Corps of Engineers

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Bureau of Land Management

Bureau of Reclamation

California Natural Resources Agency

Commodity Futures Trading Commission

Congressional Budget Office

Defense Intelligence Agency

Department of Commerce

Election Assistance Commission

Equal Employment Opportunity Commission

European Commission

European Union

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications Commission

Federal Energy Regulatory Commission

## COMPETITION

### EU Moves Ahead With Airline Competition Safeguard

The European Parliament's Transportation Committee on Tuesday backed a law to create an expedited process to address complaints of anti-competitive behavior by non-European Union airlines, a measure MEPs said is necessary to deter state-backed airlines from unfair business practices. [Read more »](#)

## MEDICAL MALPRACTICE

### Calif. Justices Say Colleges Have Duty To Protect Students

The California Supreme Court ruled Thursday that universities have a duty to protect students from foreseeable violence, reviving a suit over injuries sustained by a UCLA student stabbed in class by a fellow student with known mental health issues. [Read more »](#)

## AEROSPACE & DEFENSE

### Defense Gets Big Boost In \$1.3T Federal Spending Bill

The omnibus fiscal 2018 spending bill passed by the House Thursday will give defense programs a significant funding boost over 2017 and the flexibility to avoid rushing to spend that additional money, but an impasse means several U.S. Department of Veterans Affairs programs aren't included in the legislation. [Read more »](#)

## INTERNATIONAL TRADE

### Trump's Salvo Against China IP Sows Trade Anxiety

Leading lawmakers and industry groups balked at President Donald Trump's move to crack down on China's intellectual property regime Thursday, saying that while Beijing's policies deserve scrutiny, the White House should make a measured response that won't harm the U.S. economy. [Read more »](#)

### Trump Escalates China IP Brawl As Tariffs Loom

President Donald Trump targeted \$50 billion worth of Chinese goods with hefty new tariffs and ordered stiff investment restrictions Thursday in retaliation for Beijing's purported abuse of U.S. intellectual property, marking the administration's most contentious trade move against China to date. [Read more »](#)

### House Panel Grills Ross Over Economic Risks Of Steel Tariffs

A day before a national security-based global steel and aluminum tariff is set to take effect, Commerce Secretary Wilbur Ross tried to ease fears of House Ways and Means Committee members that the trade action could hurt U.S. businesses and fair-trading allies more than it helps U.S. producers level the playing field with China. [Read more »](#)

## TAX

### Congress' Last Chance For Action On Remote Sellers Dies

The last chance for Congress to beat the U.S. Supreme Court to action on remote sellers' tax obligations appears to have evaporated when congressional leaders unveiled an omnibus spending bill that did not include online taxation regulations. [Read more »](#)

### OECD Adds Guidance On Transfer-Pricing Taxation

The Organization for Economic Cooperation and Development issued guidelines

Federal Reserve System  
Federal Trade Commission  
Federal Transit Administration  
Fish and Wildlife Service  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
Mine Safety and Health Administration  
Missile Defense Agency  
NAFTA  
National Institutes of Health  
National Labor Relations Board  
National Park Service  
National Railroad Passenger Corporation  
National Security Council  
National Telecommunications and Information Administration  
Occupational Safety and Health Administration  
Office of Federal Contract Compliance Programs  
Office of the U.S. Trade Representative  
Pennsylvania Supreme Court  
Rural Utilities Service  
Securities and Exchange Commission  
St. Regis Mohawk Tribe  
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U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of Veterans Affairs  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House Committee on Energy and Commerce  
U.S. House of Representatives  
U.S. Immigration and Customs

Thursday that draw on public input as to how multinational companies should attribute profits to permanent establishments, focusing on warehousing, procurement and certain outsourcing contracts as part of its effort to prevent tax avoidance. [Read more »](#)

### **IRS Overhaul Bill Coming In April, Brady Says**

House Ways and Means Chairman Kevin Brady, R-Texas, said Thursday that his committee will advance an Internal Revenue Service overhaul bill next month as part of the next phase of tax overhaul that he and President Donald Trump have advocated. [Read more »](#)

### **5th Circ. Rejects IRS Bid To Pause Anti-Inversion Appeal**

The Fifth Circuit refused to pause the U.S. government's appeal of a Texas federal court's decision to invalidate a rule that sank a planned \$160 billion merger between Pfizer Inc. and Irish counterpart Allergan PLC, according to an order issued Wednesday. [Read more »](#)

### **House Passes \$1.3T Spending Bill With 'Grain Glitch' Fix**

The U.S. House of Representatives on Thursday approved a \$1.3 trillion omnibus spending bill that in addition to funding the government would fix a provision in the recent tax overhaul law that was having unintended effects on the agricultural industry and make other changes to the tax code. [Read more »](#)

### **Pa. Justices To Weigh Broadness Of Business Privilege Tax**

The Pennsylvania Supreme Court agreed Wednesday to review whether a business privilege tax provision in a city ordinance was properly interpreted to prevent a freight broker from claiming a tax deduction based on customer payments it passed through to freight carriers. [Read more »](#)

### **Ireland Urges EU To Hit The Brakes On Digital Tax Rules**

The European Commission should wait for international consensus before moving forward with the "rushed" proposal of a revenue-based digital services tax, the Irish government said Wednesday, arguing that the measure likely would disadvantage smaller member states. [Read more »](#)

### **Union Pacific Urges Justices To Preserve Win On Stocks**

The Union Pacific Railroad Co. urged the U.S. Supreme Court on Thursday not to overturn its victory in the Eighth Circuit that deemed its stock options for employees nontaxable, even if the high court rules against railroad companies in a similar and separate case before it. [Read more »](#)

## **BANKRUPTCY**

### **Puerto Rico Reaches Deal With US Treasury On Disaster Loan**

U.S. Treasury Secretary Steven Mnuchin and Puerto Rico Gov. Ricardo Rossello announced Thursday that they have reached an agreement to ease the bankrupt U.S. territory's access to a \$4.9 billion community disaster loan. [Read more »](#)

## **IMMIGRATION**

### **Feature**

### **A Cheat Sheet For The Spending Bill's Immigration Provisions**

House and Senate leaders agreed to massive funding increases for federal immigration authorities as part of a long-term omnibus funding bill, notably underwriting a partial southern border wall, but leaving out a fix for Deferred Action for Childhood Arrivals recipients. [Read more »](#)

### **Enviros Challenge Trump Border Wall Fast Track In N.M.**

The Trump administration is violating numerous federal laws by aiming to waive environmental oversight regulations to help speed the process of building

### **Enforcement**

[U.S. Patent and Trademark Office](#)

[U.S. Senate](#)

[U.S. Supreme Court](#)

[United Nations](#)

[Wage and Hour Division](#)

[World Trade Organization](#)



approximately 20 miles of a wall along the border between eastern New Mexico and Mexico, several environmental organizations alleged Thursday in District of Columbia federal court. [Read more »](#)

### **New Indiana Law Allows Pro Licenses For Certain Immigrants**

Indiana Republican Gov. Eric Holcomb on Wednesday signed a bill into law that allows the issuance of professional licenses to immigrants unauthorized to be in the United States who entered the country as minors. [Read more »](#)

## **TELECOMMUNICATIONS**

### **Telecom Groups Praise Broadband Funding In Budget Deal**

Telecom industry groups were quick to praise the massive spending and policy package that the House and Senate agreed upon this week, lauding sections that reauthorize the Federal Communications Commission, boost infrastructure rollout and offer repack transition funds to broadcasters. [Read more »](#)

### **Infrastructure Order Divides But Passes At FCC Meeting**

The Federal Communications Commission's Republican majority voted Thursday to approve new rules exempting small cell fixtures from certain environmental and historic reviews, over objections by the agency's two Democrats that the move "runs roughshod" over tribes and natural areas. [Read more »](#)

### **GOP Leader Praises Pai On Net Neutrality Repeal**

House Energy and Commerce Committee Chairman Greg Walden on Thursday praised Ajit Pai for leading the Federal Communications Commission's repeal of net neutrality rules in the face of public backlash. [Read more »](#)

## **EXPERT ANALYSIS**

### **Congressional Review Act Cannot Restore Net Neutrality**

Proposals to use the Congressional Review Act to "undo" the Restoring Internet Freedom Order would not accomplish the objectives its proponents claim they want to achieve. In fact, it would only deprive consumers of a right to receive vital information about their broadband services, says Bennett Ross of Wiley Rein LLP. [Read more »](#)

### **Is DOL's New Self-Audit Program A Win-Win?**

Employers will want to give careful consideration to whether the benefits of the U.S. Department of Labor's recently announced Payroll Audit Independent Determination, or PAID, program outweigh the negatives associated with having to turn themselves in to the Wage and Hour Division, says Jim Coleman of Constangy Brooks Smith & Prophete LLP. [Read more »](#)

### **How FERC Is Acting On Income Tax Allowances And The TCJA**

The Federal Energy Regulatory Commission acted swiftly to respond to the recent United Airlines v. FERC decision regarding income tax allowances, as well as to implement changes stemming from the Tax Cuts and Jobs Act. FERC's actions are meant to ensure that ratepayers see the benefits of lower corporate tax rates, say attorneys with Husch Blackwell LLP. [Read more »](#)

### **5 Steps To Take After H-1B Premium Processing Suspension**

U.S. Citizenship and Immigration Services' recent announcement that it will temporarily suspend premium processing for the upcoming fiscal year's H-1B petitions indicates the current suspension will apply only to fiscal year 2019. But as FY 2019 filings will only increase processing backlogs, the likelihood of a broader suspension of premium processing is material, say attorneys with Mayer Brown LLP. [Read more »](#)

### **Tax Reform Is Hurting Foreign Investors In The US**

The Tax Cuts and Jobs Act has codified a previous revenue ruling in a fairly controversial area of partnership tax law, in a potential disappointment to non-U.S. investors in domestic partnerships and practitioners who questioned the authority for issuing the ruling in the first place, say Michele Alexander and Ryan Davis of Bracewell LLP. [Read more »](#)

#### Opinion

### Companies Should Avoid The BigLaw Bonus Structure

Since passage of the Trump tax plan last year, companies have been touting bonuses they've handed down to rank-and-file employees. This highlights the trend of employers favoring bonuses over pay raises in the belief that variable, short-term rewards are less risky to the business than permanent increases in labor costs. But law firms have been using this strategy for years — and there are dangers, says Michael Moradzadeh of Rimon PC. [Read more »](#)

## LEGAL INDUSTRY

### Freshfields Reports 13.9% Gender Pay Gap In UK

Global law firm Freshfields Bruckhaus Deringer LLP has filed its gender pay gap report with the U.K. government, revealing a 13.9 percent gap between average hourly pay of male and female employees in its London and Manchester offices. [Read more »](#)

### Calif. Bar Committee Has Anti-Competitive Bent, Suit Says

A San Jose law school slapped the State Bar of California with a federal antitrust lawsuit Wednesday, claiming an agency committee that reviews law school accreditation matters is structured to favor certain schools. [Read more »](#)

### Law360's Weekly Verdict: Legal Lions & Lambs

Topping this week's legal lions list is a team of attorneys from Labaton Sucharow LLP who secured two SEC whistleblower awards worth roughly \$83 million for three tipsters, the agency's largest award ever, while now-departed Latham & Watkins LLP Chair Bill Voge heads up the legal lambs list over the behavior, which included sending sexually explicit messages, that led to his resignation. [Read more »](#)

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Jones Day  
King Holmes  
Labaton Sucharow  
Latham & Watkins  
Lawyers' Committee for Civil Rights  
Linklaters  
Maranga Morgenstern  
Morgan Lewis  
Morrison Mahoney  
Munger Tolles  
Outten & Golden  
Panish Shea  
Quinn Emanuel  
Rimon PC  
Slaughter and May  
Susman Godfrey  
Webb Law Firm  
White & Case  
Wiley Rein  
WilmerHale  
Wilson Sonsini

#### COMPANIES

Facebook  
Airbnb Inc.  
American Federation of Labor and Congress of Industrial Organizations  
Business Roundtable  
Google Inc.  
Natural Resources Defense Council  
Tax Foundation  
Twitter Inc.  
U.S. Chamber of Commerce  
AT&T Inc.  
Air Transport Association of America  
Allergan PLC  
American Cable Association  
American Civil Liberties Union  
American Council of Life Insurers  
American Farm Bureau Federation  
American Petroleum Institute Inc.  
Apple Inc.  
Bank of America Corporation  
Broadcom Ltd.  
CTIA  
Cable News Network Inc.  
Canadian National Railway Company  
Cartier SA  
Center for Biological Diversity Inc.  
CenturyLink Inc.  
Chipotle Mexican Grill, Inc.  
Cisco Systems Inc.



Electronic Privacy Information Center  
HomeAway Inc.  
Major League Baseball Inc.  
Major League Baseball Players Association  
Merck & Co Inc.  
Microsoft Corporation  
Minor League Baseball  
Motorola Solutions Inc.  
National Association of Broadcasters  
National Association of Home Builders  
National Employment Law Project  
National Restaurant Association  
National Telephone Cooperative Association  
National Wildlife Federation  
National Women's Law Center  
Newegg Inc.  
Pfizer Inc.  
Regents of the University of California  
State Bar of California  
Telecommunications Industry Association  
Title Source Inc.  
Union Pacific Corporation  
United Continental Holdings Inc.  
United States Telecom Association  
Wayfair LLC

#### GOVERNMENT AGENCIES

Federal Communications Commission  
Executive Office of the President  
U.S. Supreme Court  
U.S. Department of the Treasury  
U.S. House of Representatives  
Internal Revenue Service  
U.S. Department of Justice  
U.S. Department of Labor  
European Union  
U.S. Department of Homeland Security  
U.S. House Committee on Energy and Commerce  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Equal Employment Opportunity Commission  
European Commission  
Federal Aviation Administration  
Federal Trade Commission  
NAFTA  
National Labor Relations Board  
Pennsylvania Supreme Court  
Securities and Exchange Commission  
U.S. Army  
U.S. Department of Agriculture  
U.S. Department of Defense

U.S. Department of Energy  
U.S. Environmental Protection Agency  
U.S. Senate  
Wage and Hour Division  
World Trade Organization  
Bureau of Land Management  
Bureau of Reclamation  
California Natural Resources Agency  
Commodity Futures Trading Commission  
Congressional Budget Office  
Defense Intelligence Agency  
Department of Commerce  
Election Assistance Commission  
Federal Bureau of Investigation  
Federal Energy Regulatory Commission  
Federal Reserve System  
Federal Transit Administration  
Fish and Wildlife Service  
Food and Drug Administration  
Government Accountability Office  
Mine Safety and Health Administration  
Missile Defense Agency  
National Institutes of Health  
National Park Service  
National Railroad Passenger Corporation  
National Security Council  
National Telecommunications and Information Administration  
Occupational Safety and Health Administration  
Office of Federal Contract Compliance Programs  
Office of the U.S. Trade Representative  
Rural Utilities Service  
St. Regis Mohawk Tribe  
Transportation Security Administration  
U.S. Air Force  
U.S. Department of Health and Human Services  
U.S. Department of State  
U.S. Department of Transportation  
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U.S. Immigration and Customs Enforcement  
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United Nations

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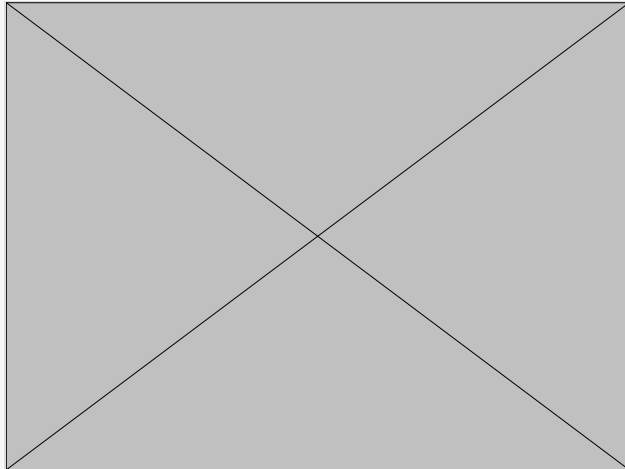
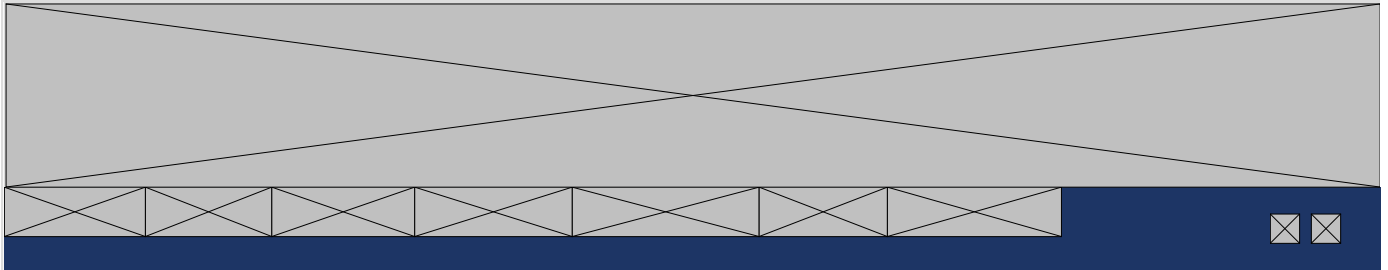
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**From:** Marine Log News  
**Sent:** Mon 2/2/2015 7:44:23 PM  
**Subject:** Great Lakes Shipyard to drydock four for Corps ; Whistleblower to collect \$250,000 in magic pipe case

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### Great Lakes Shipyard to drydock four for Corps

**February 2, 2015**—Great Lakes Shipyard, Cleveland, OH, has been awarded a repair contract by the United States Army Corps of Engineers (USACE) Buffalo District for two tugs and two barges from the Corps' Cleveland Field Station. The shipyard will perform drydocking, maintenance and repairs of the 109 ft tug Cheraw and 53-foot tug Donlon, and the 120-foot deck barges BD-6259 and BC-6472.

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### Whistleblower to collect \$250,000 in magic pipe case

A whistleblower is to collect \$250,000 in a "magic pipe" case in which the Hachiuma Steamship Co., Ltd, a subsidiary of Japan's NYK Line, is to pay \$1.8 million under a plea deal.

### Chinese shipyard orders ABB systems for LNG carriers

Under the contract, ABB will provide the vessels with medium voltage generators, medium voltage switchboards, propulsion drives, propulsion transformers, propulsion motors and propulsion control systems, together with the installation and commissioning of the equipment and training.

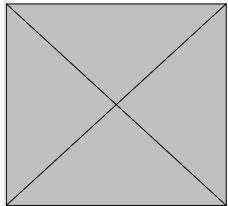
### PT Meratus ship banned from Australia for one year

This is the first time the Australian Maritime Safety Authority (AMSA) has banned a vessel from entering or using any port in Australia for 12 months.

### Astilleros Gondan to build Østensjø LNG-fueled tugs

The three new 40 m escort tugs will operate in icy environments and have a bollard pull of 100 tons and escort steering force of 155 tons.

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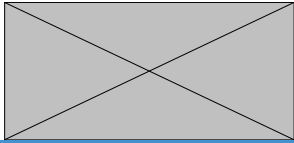
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**PUBLIC POLICY.**

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## TOP NEWS

### Analysis

#### Justices Drop Microsoft Warrant Row, But Fight Far From Over

Recently enacted federal legislation permitting prosecutors to reach user data stored abroad may have dealt the knockout blow to a U.S. Supreme Court dispute involving Microsoft, but the ability for service providers to continue to challenge international data grabs under the new regime means more fights aren't far off, attorneys say.

[Read more »](#)

#### High Court Cans Microsoft Warrant Row After Congress Acts

The U.S. Supreme Court on Tuesday dismissed a closely watched dispute over the federal government's ability to access data stored abroad by service providers such as Microsoft, agreeing that recently enacted federal legislation that sets standards for such international data grabs mooted the dispute. [Read more »](#)

#### Supreme Court Frustrated With Arguments In Wayfair Case

The U.S. Supreme Court appeared divided Tuesday on the question of whether a state could compel remote sellers with no physical presence in the state to collect and remit use tax, with several justices seeming frustrated with the policy-filled arguments. [Read more »](#)

### Analysis

#### Steel Tariff Fears Wreaking Havoc On Construction Market

Developers always face a degree of built-in uncertainty due to the nature of their work, but fears of possible tariffs on foreign steel have created a maelstrom in the sector, making it nearly impossible to price projects in the pipeline, according to experts. [Read more »](#)

### Analysis

#### For First Time, In 5-4 Ruling, Gorsuch Is With The Liberals

U.S. Supreme Court Justice Neil Gorsuch turned heads Tuesday by abandoning his conservative colleagues to join the four liberal justices in a 5-4 immigration ruling, but experts who have kept a close eye on the Trump appointee say the move fits neatly with his originalist judicial philosophy. [Read more »](#)

#### House OKs Public Access To Tax-Exempt Orgs' Returns

The public would have the ability to inspect tax-exempt organizations' electronically filed tax returns because of a bill the U.S. House of Representatives passed Tuesday, as part of a slew of tax-related bills considered by the chamber. [Read](#)

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## BANKING & SECURITIES

### Fed Vice Chair Says Volcker Rule's Onerousness 'Unarguable'

It's "unarguable" that the Volcker Rule is detrimental to capital markets, the Federal Reserve's vice chairman for supervision told lawmakers on Tuesday, less than a week after the U.S. House passed legislation that would put the Fed in charge of writing regulations under the controversial post-crisis restraint on proprietary trading by banks. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Zinke Declines To Lower Offshore Drilling Royalty Rates

The royalty rate on future offshore oil and gas lease sales won't be lowered "at this time," the Department of the Interior announced on Tuesday, adding that a move wasn't necessary in part because of the healthy economy and the new federal tax law. [Read more »](#)

### State Pushback Of Grid Policy Vexes FERC Commissioners

Federal Energy Regulatory Commissioners defended their unanimous decision to reject a controversial plan to pay coal and nuclear power plants for contributing to grid resiliency at a House energy panel hearing Tuesday, though they didn't appear united on how to address resiliency amid rapidly changing electricity sources. [Read more »](#)

## COMPETITION

### AT&T-Time Warner Will Hurt Small Cable Providers, CEO Says

A small cable company's CEO warned Tuesday in D.C. federal court that he's already seen one merger between a pay-TV distributor and a television programmer impose competitively detrimental contract terms, and the same could happen with the merger between AT&T and Time Warner being challenged by the U.S. government. [Read more »](#)

## CYBERSECURITY & PRIVACY

### House Passes Child Social Security Verification Bill

The House of Representatives passed a bill Tuesday to establish a new database meant to prevent a type of identity theft frequently used against children and recent immigrants to the country by allowing financial institutions to verify a person's name and Social Security number. [Read more »](#)

## CONSUMER PROTECTION

### Senate Takes Up Measure Nixing CFPB Auto Lending Rule

The Senate voted Tuesday to take up a measure that would invalidate a 2013 Consumer Financial Protection Bureau guidance on discrimination in auto lending, using the Congressional Review Act to invalidate federal rules reaching back years. [Read more »](#)

## AEROSPACE & DEFENSE

### Pence Launches New Space Traffic Management Policy

Vice President Mike Pence, acting in his role as chief of the National Space Council,

RJS Law

Rasco Klock

Reed Smith

Saul Ewing

Schiff Hardin

Seyfarth Shaw

Sidley Austin

Stroock & Stroock

Venable LLP

White & Case

White and Williams

Wilenchik & Bartness

WilmerHale

## COMPANIES

AT&T Inc.

American Bar Association

American Civil Liberties Union

Charter Communications Inc.

Chevron Corporation

Comcast Corporation

Electronic Privacy Information Center

FiberTower Corporation

Gilbane Inc.

Google Inc.

Home Box Office Inc.

IHS Markit Ltd.

ISO New England Inc.

Information Systems Audit and Control Association Inc.

Jones Lang LaSalle Inc.

LinkedIn Corp.

Microsoft Corporation

NBCUniversal Inc.

National Association of Broadcasters

New York State Bar Association

Nokia Corporation

Public Knowledge

RCN Corp.

Sierra Club

Straight Path Communications Inc.

TAM SA

Tax Foundation

The DIRECTV Group, Inc.

Time Warner Inc.

TransCanada Corporation

Turner Broadcasting System Inc.

Verizon Communications

Vertex Inc.

Visiting Nurse Service of New

CLV000527



announced a new policy Monday intended to manage space traffic, a response to the increasing level of space activity in recent years. [Read more »](#)

### VA Chief Nominee Won't Privatize Agency, Senator Says

Veterans Affairs secretary nominee Ronny Jackson has pledged that he won't support privatizing the U.S. Department of Veterans Affairs, Sen. Jon Tester, D-Mont., said Tuesday, while also noting that he remains to be convinced whether Jackson "has what it takes" to run the VA. [Read more »](#)

### Armed Services Chair Seeks To Shake Up DOD Agencies

House Armed Services Committee Chairman Mac Thornberry, R-Texas, put forward two proposals Tuesday for reform at the U.S. Department of Defense, which would eliminate some DOD agencies and reorganize others and continue an ongoing push for acquisition changes. [Read more »](#)

## INTERNATIONAL TRADE

### US Questions China's WTO Moves, But Will Sit For Talks

The Trump administration has pushed back against China's recent World Trade Organization challenges of U.S. enforcement moves regarding metal tariffs and actions to counter Beijing's intellectual property regime, but has nevertheless agreed to talk about resolving the escalating trade imbroglio, according to WTO documents unsealed Tuesday. [Read more »](#)

### Trump Adviser Says TPP Pivot Unrelated To China Blitz

The Trans-Pacific Partnership was billed by the Obama administration as a way to counter China's economic dominance in Asia, but President Donald Trump's recent decision to consider rejoining that pact stands apart from his trade enforcement blitzkrieg against Beijing, a top White House adviser said Tuesday. [Read more »](#)

## TAX

### IRS Grants 1-Day Filing Extension After System Outage

The Internal Revenue Service is giving taxpayers a one-day extension to file and pay their taxes after experiencing technical difficulties with its online filing system on Tuesday. [Read more »](#)

### IRS Commissioner Promises Better Service At House Hearing

The Internal Revenue Service will improve its customer service, especially for taxpayers using call centers instead of the agency's website, IRS acting Commissioner David J. Kautter promised a panel of U.S. House members during a subcommittee hearing of the House Oversight and Government Reform Committee on Tuesday. [Read more »](#)

### Some 10,800 Sales Tax Jurisdictions Await Wayfair Answers

An exponential increase in places that levy sales and use taxes during the past 25 years has created a scenario in which an estimated 10,801 localities are awaiting an answer from the Supreme Court, the Tax Foundation said Tuesday, further raising the stakes in the landmark South Dakota v. Wayfair case. [Read more »](#)

### Professionals Predict Win For South Dakota In Wayfair Case

The Supreme Court is likely to side with South Dakota in the remote sales tax case, professionals at a Retail Industry Leaders Association conference said Tuesday, the same day the justices heard oral arguments in South Dakota v. Wayfair. [Read more »](#)

## IMMIGRATION

### Atty's Ex-Clerkship Shouldn't DQ Him From Immig. Suit: Judge

York

Wayfair LLC

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services

Commodity Futures Trading Commission

Consumer Financial Protection Bureau

Defense Health Agency

Defense Information Systems Agency

Defense Intelligence Agency

Defense Logistics Agency

Defense Technical Information Center

Department of Commerce

European Union

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Energy Regulatory Commission

Federal Reserve System

Government Accountability Office

Internal Revenue Service

National Aeronautics and Space Administration

National Economic Council

National Geospatial-Intelligence Agency

National Institute of Standards and Technology

National Security Agency

Office of the Comptroller of the Currency

Pennsylvania Supreme Court

Securities and Exchange Commission

Social Security Administration

U.S. Department of Defense

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of State

U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. House Committee on Energy and Commerce

U.S. House of Representatives

CLV000528

A Massachusetts federal judge on Monday gave notice that a second former law clerk of his has joined a team of attorneys representing a putative class of immigrant spouses challenging a crackdown on so-called illegitimate marriages, but argued against ejecting the current WilmerHale lawyer from the case. [Read more »](#)

### **Gov't Wrongly Ended Protections For Haitians, Nonprofit Says**

A nonprofit group of lawyers who represent immigrants said Tuesday they've been handed Freedom of Information Act documents showing that the Trump administration ignored reports of still-terrible conditions in Haiti when it decided last year to cut off deportation protections in place since 2010. [Read more »](#)

## **TELECOMMUNICATIONS**

### **FCC's Clyburn To Retire Within A Month In Surprise Move**

At the end of a Federal Communications Commission meeting with an otherwise routine agenda, Commissioner Mignon Clyburn made a surprise announcement that she is stepping down from the agency within the next month. [Read more »](#)

### **FCC Adds \$742M More To Refund Broadcast Repack Costs**

The Federal Communications Commission said Monday it will allocate \$742 million in new funding to reimburse broadcasters for costs related to new channel assignments following auctions to reassign broadcast spectrum for wireless broadband use. [Read more »](#)

### **FCC Advances National Security Plan With Assurances**

During its monthly meeting Tuesday, the Federal Communications Commission voted to move forward with a rulemaking that contemplates cutting off communications subsidies from companies that may threaten U.S. networks, with commissioners offering assurances that the fledgling item still has a long way to go. [Read more »](#)

## **WHITE COLLAR**

### **Deal Could End Sanctions For Hastert Whistleblower**

An Illinois federal judge said Tuesday he would reconsider his sanctions order against a business partner of former U.S. Speaker Dennis Hastert over a recently tossed whistleblower suit, urging the parties to work out their issues in settlement negotiations instead. [Read more »](#)

### **9th Circ. Orders Special Prosecutor In Arpaio Pardon Row**

After the U.S. Department of Justice abandoned its prosecution of the case, a split Ninth Circuit panel agreed in a published decision Tuesday to appoint a private attorney to prosecute former Maricopa County Sheriff Joe Arpaio's appeal as he attempts to erase a criminal contempt conviction following President Donald Trump's pardon in the matter. [Read more »](#)

## **POLITICS**

### **Pa. Senator Ordered To Pay Fees In Gerrymandering Fight**

A Pennsylvania federal judge has ordered a state senator to personally pay legal fees generated by a bungled attempt to transfer a landmark gerrymandering dispute out of state court, with the senator already saying he plans to appeal. [Read more »](#)

## **EXPERT ANALYSIS**

### **What's New In NIST's Updated Cybersecurity Framework**

On Tuesday, the National Institute for Standards and Technology released a revised

[U.S. Immigration and Customs Enforcement](#)  
[U.S. Navy](#)  
[U.S. Senate](#)  
[U.S. Supreme Court](#)  
[United States District Court for the Eastern District of Pennsylvania](#)  
[World Trade Organization](#)

version of its standard-setting Cybersecurity Framework, once again producing a useful, flexible document that can be applied or adapted by a wide range of companies, says Alan Raul, leader of Sidley Austin LLP's cybersecurity practice. [Read more »](#)

### **Tax Reform, Hollywood And The Media: Part 2**

The Tax Cuts and Jobs Act has imposed new limitations on a corporation's ability to take advantage of net operating losses. Certain changes will disproportionately affect media companies, impacting their debt restructuring, acquisition and disposition strategies, say Michele Alexander and Ryan Davis of Bracewell LLP in New York. [Read more »](#)

### **Equal Pay Act Is Closing In On Mass. Employers**

Massachusetts' attorney general recently issued helpful guidance on the state's new Equal Pay Act, including some safe harbor defenses against this strict liability law. But to enjoy full protection, employers need to act soon, as the law goes into effect on July 1, says Sonia Macias Steele of Goulston & Storrs PC. [Read more »](#)

### **5 Ways Law Firms Are Becoming More Like Hotels**

One way law firms differentiate themselves from the competition to attract and retain top talent is through their real estate and workplace strategies. Taking a lead from the hospitality industry can help create a more inviting, welcoming and collaborative workspace environment, says Bella Schiro of Jones Lang LaSalle Inc. [Read more »](#)

## **LEGAL INDUSTRY**

### **Feature**

#### **5 Financial Landmines Young Attorneys Should Avoid**

Junior associates riding high on their new BigLaw paychecks may be tempted to spend money now and think about the future later, but doing so could set them up for major financial hardship down the road. Here, five big money mistakes to avoid as a young attorney. [Read more »](#)

### **Feature**

#### **Ex-Judge Calls On Men To Help Close Litigation Gender Gap**

Retired U.S. District Judge Shira Scheindlin told an audience at a Reed Smith LLP symposium on gender diversity in the courtroom on Tuesday that she hoped to see more senior male attorneys acting as allies to help younger, female lawyers more regularly take on prominent roles in litigation. [Read more »](#)

#### **Ex-Liddle Partner Hammers Firm In \$32M Equal Pay Suit**

A former Liddle & Robinson LLP partner has sued the employment firm in New York state court alleging she was paid less than her male peers for equal work based on her gender, issuing a summons Monday that requested \$32.3 million in damages. [Read more »](#)

#### **Ex-BigLaw Atty Blasts Murder Charges At Trial's Close**

Counsel for a former Fisher & Phillips LLP partner who fatally shot his wife told an Atlanta jury during closing arguments that prosecutors were trying to support murder charges with "speculation and red herrings," while the prosecution fired back with a theatrical argument that the attorney consistently lied about the facts. [Read more »](#)

#### **Dentons Canada Partner Suspended After Fatal Hit-And-Run**

A Dentons partner in Edmonton, Alberta, charged with impaired driving and being involved in a hit-and-run collision that killed a teenage pedestrian, has been suspended, the global law firm said Tuesday. [Read more »](#)

#### **Attys Must Admit Some Errors To Current Clients, ABA Says**

Lawyers have an ethical duty to tell current clients if they discover they have made a potentially significant mistake in the course of the representation, but the obligation does not extend to former clients, the American Bar Association said on Tuesday.

[Read more »](#)

**Guest Feature**

## Michael Rubinoﬀ: From Commercial Real Estate To Broadway

“Come From Away” sounds like the stuff of a documentary on the Discovery Channel, not singing and dancing on stage. How could a musical tied to the 9/11 terrorist attacks ever get made — and by a real estate lawyer? The show’s producer, Michael Rubinoﬀ, was kind enough to find 30 minutes to tell me, says Randy Maniloff. [Read more »](#)

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Bryan Cave  
Cotsirilos Tighe  
Cravath Swaine  
Dentons  
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Dorsey & Whitney  
Fenwick & West  
Fisher Phillips  
Garland Samuel  
Gibson Dunn  
Goulston & Storrs  
Holland & Knight  
Kleinbard LLC  
Liddle & Robinson  
McDonnell Boehnen  
Nixon Peabody  
Norton Rose Fulbright  
O’Melveny & Myers  
Patterson Belknap  
RJS Law  
Rasco Klock  
Saul Ewing  
Schiff Hardin  
Seyfarth Shaw  
Sidley Austin  
Stroock & Stroock  
Venable LLP  
White & Case  
White and Williams  
Wilenchik & Bartness

## COMPANIES

Wayfair LLC  
AT&T Inc.  
Google Inc.  
Microsoft Corporation  
American Bar Association  
American Civil Liberties Union  
Charter Communications Inc.  
Chevron Corporation  
Comcast Corporation  
Electronic Privacy Information Center  
FiberTower Corporation  
Gilbane Inc.  
Home Box Office Inc.  
IHS Markit Ltd.  
ISO New England Inc.  
Information Systems Audit and Control Association Inc.  
Jones Lang LaSalle Inc.  
LinkedIn Corp.  
NBCUniversal Inc.  
National Association of Broadcasters  
New York State Bar Association  
Nokia Corporation  
Public Knowledge  
RCN Corp.  
Sierra Club  
Straight Path Communications Inc.  
TAM SA  
Tax Foundation  
The DIRECTV Group, Inc.  
Time Warner Inc.  
TransCanada Corporation  
Turner Broadcasting System Inc.  
Verizon Communications  
Vertex Inc.  
Visiting Nurse Service of New York

## GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Federal Communications Commission  
Internal Revenue Service  
Department of Commerce  
Government Accountability Office  
U.S. Department of Defense  
U.S. House Committee on Energy and Commerce  
U.S. House of Representatives  
Bureau of Citizenship and Immigration Services  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau

Defense Health Agency  
Defense Information Systems Agency  
Defense Intelligence Agency  
Defense Logistics Agency  
Defense Technical Information Center  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Reserve System  
National Aeronautics and Space Administration  
National Economic Council  
National Geospatial-Intelligence Agency  
National Institute of Standards and Technology  
National Security Agency  
Office of the Comptroller of the Currency  
Pennsylvania Supreme Court  
Securities and Exchange Commission  
Social Security Administration  
U.S. Department of Homeland Security  
U.S. Department of State  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Immigration and Customs Enforcement  
U.S. Navy  
U.S. Senate  
United States District Court for the Eastern District of Pennsylvania  
World Trade Organization

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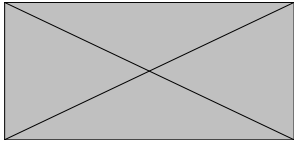
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 12/6/2017 9:01:00 AM  
**Subject:** Swing Vote Kennedy Conflicted In Masterpiece Cakeshop Case



**PUBLIC POLICY.**

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**Wednesday, December 6, 2017**

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## TOP NEWS

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### Swing Vote Kennedy Conflicted In Masterpiece Cakeshop Case

In a major case over whether a Christian baker can refuse to make a custom wedding cake for a same-sex couple, U.S. Supreme Court Justice Anthony Kennedy, who is expected to cast the deciding vote, appeared torn between supporting religious liberty and LGBT rights during oral arguments Tuesday. [Read more »](#)

#### Analysis

### Top 4 Groups Lobbying The FCC

November infused new energy into already-active FCC dockets, bringing another wave of net neutrality filings as the commission scheduled a vote to reverse the Obama-era protections and released a draft of the proposed item. But the most prolific lobbyists also weighed in on such high-profile issues as Lifeline subsidy changes and copper network retirement. [Read more »](#)

### Senate Approves Trump's Homeland Security Pick

The U.S. Senate on Tuesday voted to confirm President Donald Trump's second Homeland Security secretary, despite opponents who cited her lack of management experience. [Read more »](#)

### Dodd-Frank Rollback Bill Moves Out Of Committee Unchanged

A Senate panel on Tuesday advanced a bipartisan package of changes to the Dodd-Frank Act, rejecting a slew of amendments from more liberal Democrats that could have altered the delicate framework that allowed lawmakers from both parties to produce the compromise bill. [Read more »](#)

### Tax Pro Sees Threat To Global Tax Break From Senate Patch

An 11th-hour addition to the Senate's tax overhaul could threaten a key Republican goal with tax reform — ending the worldwide taxation of U.S. companies — according to a leading tax practitioner. [Read more »](#)

## BANKING & SECURITIES

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### Fed Chair Nominee Easily Clears Committee

A Senate panel on Tuesday moved Jerome Powell's nomination to be the next Federal Reserve chairman forward in a nearly unanimous vote. [Read more »](#)

### SEC Approves NYSE Plan To Delay End-Of-Day Material News

The U.S. Securities and Exchange Commission on Monday approved a New York Stock Exchange plan to bar companies from releasing end-of-day material news for up to five minutes after markets close, a move intended to prevent price discrepancies and market confusion. [Read more »](#)

### Credit Union Sues Trump For Naming Mulvaney CFPB Director

[Listen to our new podcast here](#)

#### LAW FIRMS

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Allen & Overy  
Allred Maroko  
Altshuler Berzon  
Baker Botts  
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Brinks Gilson & Lione  
Buchanan Ingersoll  
Cadwalader Wickersham  
Carlton Fields  
Chamberlain Hrdlicka  
Cleary Gottlieb  
Clifford Chance  
Cotchett Pitre  
Covington & Burling  
Cravath Swaine  
Davis Polk  
Davis Wright Tremaine  
Day Pitney  
Debevoise & Plimpton  
Dechert  
Earthjustice  
Emery Celli  
Eversheds Sutherland  
Freshfields  
Fried Frank  
GCA Law Partners  
Gibson Dunn  
Gupta Wessler  
Hogan Lovells  
Holwell Shuster  
Kasowitz Benson  
King & Greisen

CLV000534



A credit union sued President Donald Trump and his appointed Consumer Financial Protection Bureau acting director Mick Mulvaney in New York federal court on Tuesday, claiming Trump undermined the Constitution to pick his man over the deputy director selected by the former agency head. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### FERC Ruling Casts New Scrutiny On Oil Pipeline Contracts

The Federal Energy Regulatory Commission's recent ruling that an oil pipeline company's plan for its marketing arm to buy up pipeline space at full price while reselling it at a discount is illegal will send other pipeline operators scrambling to review their own marketing deals and could spark more litigation at FERC, experts say. [Read more »](#)

### BLM Will Fight Methane Enforcement Ruling At 9th Circ.

The Bureau of Land Management on Monday said that it will appeal to the Ninth Circuit an October ruling from a California federal magistrate judge that reactivated Obama-era regulations limiting methane gas emissions on public lands. [Read more »](#)

### AGs Lob Latest Suit Accusing EPA Of Missing Smog Deadline

A coalition of 15 attorneys general from states including New York, California and Massachusetts sued the U.S. Environmental Protection Agency and its leader on Tuesday, alleging the agency has missed a deadline to identify the areas of the U.S. that are subject to smog reduction requirements. [Read more »](#)

### Conservationists Sue Over Trump's Move To Slash Monument

The Conservation Lands Foundation and two other groups added their lawsuit on Monday to a growing list of challenges to President Donald Trump's decision to slash the size of two Utah national monuments, arguing that federal law prevents the president from reducing the size of Grand Staircase-Escalante National Monument. [Read more »](#)

## HEALTH & LIFE SCIENCES

### GOP Tax Bill Likely To Ax ACA Mandate, Rep. Brady Says

Top House Republican tax writer Kevin Brady, of Texas, said Tuesday the finalized version of the GOP tax bill making its way through Congress will more than likely get rid of the Affordable Care Act's individual mandate. [Read more »](#)

### House OKs Tougher Sentences For Female Genital Mutilation

The House of Representatives voted to approve a bill Tuesday afternoon to increase punishments for medical professionals and others who perform female genital mutilation procedures on their patients. [Read more »](#)

#### Pro Bono Spotlight

### MoFo Helps Defeat 2nd-Trimester Abortion Law In Texas

Morrison & Foerster LLP helped abortion clinics and providers reach a pro bono victory in late November when a U.S. district judge ruled that a Texas law restricting the most common second-trimester abortion practice in the country is unconstitutional. [Read more »](#)

## IP & TECHNOLOGY

### PTAB Judge Says New Regs Will Increase Patent Amendments

U.S. Patent Trial and Appeal Board Chief Judge David Ruschke predicted on Monday there will be an increase in the number of motions to amend challenged patents following the recent issuance of new guidance lowering the burden on such claims. [Read more »](#)

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## COMPANIES

[AAR Corporation](#)

[AT&T Inc.](#)

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[American Civil Liberties Union](#)

[American Public Health Association](#)

[Apple Inc.](#)

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[Federation for American Immigration Reform](#)

[FireEye Inc.](#)

[Ford Motor Company](#)

[General Motors](#)

[Google Inc.](#)

[H&M](#)



## MEDIA & ENTERTAINMENT

### Trump Can't Cite Duties To Slip Defamation Suit: Accuser

Summer Zervos, the former "Apprentice" contestant who sued President Donald Trump for defamation after he said her sexual misconduct claims were lies, sought to swat aside protests that his work was too important for him to be sued by telling a New York state judge on Tuesday that no one was above the law. [Read more »](#)

### Russian Olympic Team Barred From 2018 Winter Olympics

The International Olympic Committee on Tuesday suspended the Russian Olympic Committee, a move that comes after the IOC has levied a number of lifetime bans against the nation's past Olympic athletes for violating global doping rules, but opened the door for individual Russian athletes to compete in the 2018 Winter Olympics to be held in Pyeongchang, South Korea, under the Olympic flag. [Read more »](#)

## CYBERSECURITY & PRIVACY

### EU Regulators Demand Action On 'Privacy Shield' Issues

Europe's data protection authorities on Tuesday warned that they would move to strike down the trans-Atlantic Privacy Shield data transfer pact if officials don't act within the next year to address several "significant concerns," including a lack of clear guidance on consumers' redress rights and insufficient U.S. surveillance guarantees. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### DOT Yanks Emergency Brakes Mandate For Crude Oil Trains

The U.S. Department of Transportation said late Monday it will pull a 2015 final rule requiring trains carrying crude oil, ethanol and other flammable liquids to be outfitted with electronically controlled pneumatic brakes, or ECP brakes, saying it's unclear whether the perceived safety benefits justified the costs to railroads. [Read more »](#)

### Plan To Move Miami Tennis Tournament Hits Possible Snag

IMG Worldwide Inc. on Tuesday appeared poised to score a win for a long-term deal to move its Miami Open tennis tournament to the Miami Dolphins' stadium, but a last-minute change by the county before approving two needed agreements had the company questioning if the plan will clear the net. [Read more »](#)

## EMPLOYMENT

### OSHA Nominee Backs Criminal Penalties During Hearing

President Donald Trump's pick to lead the Occupational Safety and Health Administration told a panel of senators Tuesday that he would consider pursuing criminal penalties against certain egregious workplace safety violators but stopped short of promising an increased effort to publicize violations through agency-issued press releases. [Read more »](#)

### Sen. Presses VA On Alleged Whistleblower Retaliation

Sen. Claire McCaskill, D-Mo., asked the U.S. Department of Veterans Affairs on Monday to explain its ongoing efforts to protect whistleblowers at the agency, saying she was "troubled" by reports alleging that retaliation against VA employees is on the upswing. [Read more »](#)

## COMPETITION

Halliburton Company  
Henry Ford Health System  
IMG Worldwide Inc.  
Immigration Reform Law Institute  
International Business Machines Corporation  
International Olympic Committee  
LexisNexis Group  
Lifeway Foods Inc.  
Magellan Midstream Partners, L.P.  
Microsoft Corporation  
National Australia Bank  
National Conference of State Legislatures  
National Wildlife Federation  
Natural Resources Defense Council  
New York University  
Planned Parenthood Federation  
PricewaterhouseCoopers  
Reed Elsevier  
Sierra Club  
The Boeing Company  
The Coca-Cola Company  
The Wilderness Society  
Twitter Inc.  
U.S. Chamber of Commerce  
United States Telecom Association  
Verizon Communications  
Virtu Financial Inc.  
Wal-Mart Stores Inc.  
Washington Post Co.  
Wilderness Workshop  
World Anti-Doping Agency

## GOVERNMENT AGENCIES

Bank of England  
Bureau of Labor Statistics  
Bureau of Land Management  
Consumer Financial Protection Bureau  
Department of Commerce  
European Commission  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Bureau of Prisons  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory

## ABA Sections Caution France On Merger Review Changes

A pair of American Bar Association sections said they do not want France's competition watchdog to implement sector-specific or market-share-based merger notification thresholds as part of a possible retooling of the country's merger and control laws, according to a Tuesday announcement from the ABA. [Read more »](#)

## CONSUMER PROTECTION

### CFPB Leadership Fight Hurdles Toward Likely Appeal

The Consumer Financial Protection Bureau official fighting to wrest the agency's top job from President Donald Trump's temporary pick won a faster timetable Tuesday than the administration wants, thanks to an aggressive briefing schedule set by a D.C. federal judge that tees the suit up for a likely appeal. [Read more »](#)

## GOVERNMENT CONTRACTS

### GAO Urges VA To Improve Medical Supply Purchase Program

A program the U.S. Department of Veterans Affairs implemented to streamline its medical supply purchases lacked sufficient planning and oversight, meaning it hasn't yet met its cost savings and efficiency goals and needs improvement, a VA watchdog said Monday. [Read more »](#)

## INTERNATIONAL TRADE

### Australia, Mexico Want In On US-China WTO Dispute

Mexico and Australia are the latest countries seeking to keep tabs on a high-stakes World Trade Organization battle over the U.S. policy toward China in anti-dumping probes, each stressing their "substantial trade interest" in the case after its recent escalation over aluminum foil. [Read more »](#)

## TAX

### Analysis

#### House's Complex Pass-Through Tax Plan Expected To Fizzle

As the House and Senate prepare to reconcile their vastly different proposals for taxing pass-through enterprises, practitioners anticipate that the more complex House plan, favoring capital-intensive businesses and passive investors, ultimately will get ditched for the more labor-friendly Senate version. [Read more »](#)

### EU Releases 'Blacklist' Of Tax Havens, Including South Korea

The European Union's Economic and Financial Affairs Council released Tuesday a list of 17 nations it says are "uncooperative on tax matters," opening them to possible economic sanctions. [Read more »](#)

### EU Adopts Rules To Revamp VAT System For Online Sales

The Council of the European Union on Tuesday adopted regulations to overhaul its antiquated value-added tax system so that certain online sales from countries outside the EU no longer will be exempt from the tax and to reduce compliance costs for businesses. [Read more »](#)

### Tax Bill Likely To Yield Wave Of State Laws, Experts Say

As sweeping federal tax changes move closer to becoming law, a panel of experts warned Tuesday that the effects on state and local budgets are likely to result in a flood of state legislation to reduce negative impacts. [Read more »](#)

## IMMIGRATION

Commission

Federal Financial Institutions  
Examination Council

Federal Railroad Administration

Federal Reserve System

Federal Trade Commission

Financial Conduct Authority

Government Accountability Office

Internal Revenue Service

Judicial Conference of the United  
States

Navajo Nation

New York Attorney General's  
Office

Occupational Safety and Health  
Administration

Pipeline and Hazardous Materials  
Safety Administration

Privacy & Civil Liberties Oversight  
Board

Prudential Regulation Authority

Securities and Exchange  
Commission

Texas Attorney General's Office

Texas State Senate

Transportation Security  
Administration

U.S. Coast Guard

U.S. Copyright Office

U.S. Department of Education

U.S. Department of Homeland  
Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of Transportation  
U.S. Department of Veterans  
Affairs

U.S. Department of the Interior

U.S. Environmental Protection  
Agency

U.S. House of Representatives

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court

United Nations

World Health Organization

World Trade Organization

### **Judge Wants Help Responding To High Court DACA Stay Bid**

A California federal judge asked for help Monday responding to a U.S. Supreme Court petition the Trump administration filed recently seeking to pause a discovery mandate in a group of cases contesting the planned end of the Deferred Action for Childhood Arrivals program. [Read more »](#)

### **GOP Senator Sponsors Bill Addressing DACA, Border Security**

The Senate GOP unveiled a bill Tuesday intended to address the recipients of the Deferred Action for Childhood Arrivals program, and quickly faced criticism from Democrats that the bill would not do enough to protect participants. [Read more »](#)

### **Immigration Group Sues Ind. City Over 'Welcoming' Policy**

The legal arm of an organization that calls for lower immigration levels on Tuesday filed a lawsuit challenging an ordinance in Gary, Indiana, that calls for the city to be welcoming to immigrants and for authorities not to cooperate with federal immigration-related requests unaccompanied by court orders. [Read more »](#)

## **NATIVE AMERICAN**

### **9th Circ. Gives Navajo Partial Win In Waters Rights Suit**

A Ninth Circuit panel on Monday gave the Navajo Nation a partial win in its water rights suit against the U.S. Department of the Interior, ruling that a district court's dismissal of its breach of trust claim was not warranted, and sent the claim back to the lower court to consider it on its merits. [Read more »](#)

## **EXPERT ANALYSIS**

### **High Court's Latest Travel Ban Ruling Lacks Details**

On Monday the U.S. Supreme Court lifted all stays on the third version of President Trump's travel ban. The paragraph-long ruling was devoid of limitations on the wide discretion available when deciding whether or not to bar an individual, which essentially leaves U.S. customs agents, defense counsel and those affected by the order to decipher the logistics as they go, says Tahanie Aboushi of The Aboushi Law Firm. [Read more »](#)

### **Is A Shift In DOJ Qui Tam Intervention Policy Coming?**

A U.S. Department of Justice official recently made a surprising policy announcement that has the potential to change the practice of attorneys involved in bringing and defending against qui tam lawsuits under the False Claims Act, say Brian McEvoy and Michael Besser of Polsinelli PC. [Read more »](#)

### **Basic Human Rights: Whose Job Is Enforcement?**

The cases of *Jesner v. Arab Bank* and *Doe v. Cisco Systems* pose different legal tests under the Alien Tort Statute. But these decisions could hold major consequences for environmentalists, human rights activists and even individuals who have turned to ATS to go after transnational corporations, says Dan Weissman of LexisNexis. [Read more »](#)

### **Navigating Whistleblower Protections Across The Atlantic**

Both the Dodd-Frank Act in the U.S. and rules under the Financial Conduct Authority in the U.K. provide whistleblower protections for financial industry employees who report fraud and regulatory breaches. Whereas the specific protections in the U.S. and U.K. differ somewhat, many of the protection mechanisms are remarkably similar, say Lynne Bernabei and Kristen Sinisi of Bernabei & Kabat PLLC. [Read more »](#)

## **Opinion**

### **Leave The Never-Was-Neutral Net Alone**

Federal Communications Commission Chairman Ajit Pai bills his recent net neutrality proposal as a "repeal" of the 2015 rules, but it really just imposes his own

version of net neutrality through impenetrable and ultimately ineffectual disclosures that both harm providers and confuse users, says Doug Hass, general counsel at Lifeway Foods Inc. [Read more »](#)

#### Opinion

### The Numbers Indicate The Russian Olympic Ban Is Too Harsh

While the war of words between the World Anti-Doping Agency and Russia over alleged state-sponsored doping of Olympic athletes ended in a victory for WADA on Tuesday, there is evidence that supports a lesser punishment, says Ronald Katz, of counsel at GCA Law Partners LLP and chair emeritus of the Institute of Sports Law and Ethics at University of the Pacific. [Read more »](#)

## LEGAL INDUSTRY

### Litigation Boutiques Match, Exceed Cravath Scale Bonuses

A pair of litigation boutiques have revealed that their associates would receive year-end bonuses that either matched or exceeded the market scale established by Cravath Swaine & Moore LLP, which has remained the standard among many BigLaw firms. [Read more »](#)

### Hackers Cite Roy Moore Scandal In Law Firm Snoop Scheme

Chinese hackers tried to spy on attorneys and snatch secret files from three multinational law firms by luring lawyers with phishing emails citing the uproar over Alabama Senate candidate Roy Moore, cybersecurity researchers said Tuesday. [Read more »](#)

### Fla. Judicial Panel Offers Sens. 4 Names For District Seats

Florida's federal judicial nominating commission on Monday sent the names of four potential nominees — two trial court judges and two appellate judges — to the state's U.S. senators for the three vacancies on the Middle District of Florida bench. [Read more »](#)

#### Series

### My Supreme Court Debut: 2 Moots And A Sweet Celebration

In my first argument at the U.S. Supreme Court, and each one thereafter, I stood up only after having been intensively questioned by my colleagues and having received their insights, advice and reactions, says Ginger Anders of Munger Tolles & Olson LLP. [Read more »](#)

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Simpson Thacher  
Skadden  
Taylor English  
Van Ness Feldman  
Weil Gotshal  
Western Environmental Law Center  
White and Williams  
Wilkinson Walsh  
Willkie Farr  
Winston & Strawn

#### COMPANIES

Facebook  
American Civil Liberties Union  
Google Inc.  
International Olympic Committee  
Microsoft Corporation  
Natural Resources Defense Council  
Reed Elsevier  
Sierra Club  
Twitter Inc.

World Anti-Doping Agency  
AAR Corporation  
AT&T Inc.  
Alliance Defending Freedom  
American Bar Association  
American Public Health Association  
Apple Inc.  
Arab Bank PLC  
Association of American Railroads  
CTIA  
Celgene Corporation  
Center for Biological Diversity Inc.  
Chevron Corporation  
Chiquita Brands International Inc.  
Cisco Systems Inc.  
Clean Air Task Force  
Environmental Defense Fund Inc.  
Equifax Inc.  
FedEx Corporation  
Federation for American Immigration Reform  
FireEye Inc.  
Ford Motor Company  
General Motors  
H&M  
Halliburton Company  
Henry Ford Health System  
IMG Worldwide Inc.  
Immigration Reform Law Institute  
International Business Machines Corporation  
LexisNexis Group  
Lifeway Foods Inc.  
Magellan Midstream Partners, L.P.  
National Australia Bank  
National Conference of State Legislatures  
National Wildlife Federation  
New York University  
Planned Parenthood Federation  
PricewaterhouseCoopers  
The Boeing Company  
The Coca-Cola Company  
The Wilderness Society  
U.S. Chamber of Commerce  
United States Telecom Association  
Verizon Communications  
Virtu Financial Inc.  
Wal-Mart Stores Inc.  
Washington Post Co.  
Wilderness Workshop

**GOVERNMENT AGENCIES**

U.S. Supreme Court

U.S. Department of Justice  
European Union  
European Commission  
Executive Office of the President  
Consumer Financial Protection Bureau  
Federal Communications Commission  
Federal Reserve System  
Federal Trade Commission  
Securities and Exchange Commission  
U.S. Department of Veterans Affairs  
U.S. House of Representatives  
U.S. Senate  
United Nations  
Bank of England  
Bureau of Labor Statistics  
Bureau of Land Management  
Department of Commerce  
Federal Bureau of Investigation  
Federal Bureau of Prisons  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Financial Institutions Examination Council  
Federal Railroad Administration  
Financial Conduct Authority  
Government Accountability Office  
Internal Revenue Service  
Judicial Conference of the United States  
Navajo Nation  
New York Attorney General's Office  
Occupational Safety and Health Administration  
Pipeline and Hazardous Materials Safety Administration  
Privacy & Civil Liberties Oversight Board  
Prudential Regulation Authority  
Texas Attorney General's Office  
Texas State Senate  
Transportation Security Administration  
U.S. Coast Guard  
U.S. Copyright Office  
U.S. Department of Education  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Patent and Trademark Office  
World Health Organization  
World Trade Organization

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CLV000543



**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** act@preactdontreact.com  
**Sent:** Tue 4/12/2016 12:37:09 AM  
**Subject:** RE: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

The Honorable Carloyn Goodman:

Thank you for taking the time to respond to my correspondence, I know you must be extremely busy managing the Las Vegas. My correspondence was initiated due to the following:

1) The email sent to Commander Ted Moody was due to 2 incidents I witnessed, and due to my experience and background in the area, Las Vegas will be attacked throughout 2016, that is multiple times. I am stating this based the overall plan of ISIS/Al Qaeda (the Sunnis). I originally warned officials in what is now DHS and the revamped DOJ in 2001. Due to the situation in Belgium, France, and the rest of Western Europe, the officials there have now reached the same conclusion (as have respected US experts such as ex CIA agent Bob Baer, former Bin Laden desk chief Michael, Scheuer, Generals Michael Flynn and James Mattis)

<https://mail.google.com/mail/u/0/#label/5TH+RAIL/15401613ca94fba5>.

2) Terrorists have already reconned the Strip and the Fremont experience, and law enforcement should act on that absolute. I have described what the attack would look like below.

3) The two incidents consisted of an Arab male 40–45 years doing reconnaissance on the Strip, he specifically was concentrating on the crowd in front of the Bellagio fountains. Certain behavior from the individual and his party clearly indicated he was on a scouting mission. To be direct, there were numerous incidents of this type of behavior by Middle Easterners during this period, it was extraordinarily heavy.

The second incident was far more alarming. During a 114 degree day, an Arab male in his early 20's in the company of a his wife in a hijab was timing the traffic and lights on the Strip while communicating with someone via text. The behavior of the male and his wife was highly unusual for an Arab male, especially outside of the Middle East. Due to certain other issues concerning the males behavior and the position of certain equipment, it became clear the individual had been through irregular military training/bomb training.

Based on the my having grown up around such individuals, they have made the decision to execute their plans. All of the individuals mentioned in my prior email connected to Nada Prouty, La Shish restaurant, and the incidents in Michigan, I know or have met. Again, it is a mistake to underestimate the size of their network and their desire to carry out their missions.

### **WHAT THE ATTACK WILL LOOK LIKE (NO ONE HAS SEEN THIS INFORMATION AS OF YET)**

Las Vegas represents a priority terrorist target for ISIS and Al Qaeda due to the every possible Western country represented by tourists, the celebrity factor, easy access, and most of all the design of the 2 main tourist sites being a terrorists dream. Some obvious, some not so obvious.

### **FREMONT EXPERIENCE**

As you can know the Fremont is actually a several blocks long tunnel with openings at either end, but no escape routes in between. Terrorists are well aware of the site, and are well aware that the civilians at the site are comprised 95%+ of tourists. The site is a shooting gallery. There will be no escape for the tourists and they would be running directly firing

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squad while trying to escape at either opening.

### DEATH TOLL ESTIMATES:

MINIMUM: 250–300 dead X3 injured

MEDIUM: 500–700 dead X 5 injured

### LAS VEGAS BLVD

<https://www.youtube.com/watch?v=9IEnm-SIDj0&nohtml5=False>

Due to the physical design of the Strip, the attack on the site will be even more devastating than Fremont.

The Strip has sections that:

–Do not allow pedestrians to cross the street–giving them no escape route from an attack, and have barriers to civilians fleeing back into the casinos in many sections.

–There are sections of the Strip that corral tourists in an extremely densely packed areas (from the Linq to Harrah's with no escape routes to the North, South, East, or West–this design is not consistent, but exists throughout the Strip. If any tourists survived these areas it would be a miracle of God.

–Escalators on the Strip represent the same threat from terrorists as the sections that corral tourists, there are just more tourists in these areas. The tourists won't be able to go forward or backward. An even worse factor is that the escalators lead to elevated walkways that cross the Strip with only one option to escape the terrorists attackers–jump off into the traffic below from a height of over nearly 2 stories. Each of the walkways and each of escalators would be filled with bodies surpassing the Bataclan in Paris 13 November 2015.

–The motorized traffic on the Strip represents another huge danger to tourists. The traffic is backed up to the point it takes 30 minutes to an hour to go a mile during peak seasons (Spring/Summer). With special events it is even worse.

The traffic light system allows for terrorists to disable the motorized vehicles at the North and South ends of the Strip and attack the buses, autos, and tourist vehicles that cannot move North or South, nor can they go East or West due to the casinos. The San Bernadino terrorists had a similar plan for the freeway system in California (as sent in the previous email <http://www.latimes.com/local/lanow/la-me-ln-san-bernardino-marquez-20151217-story.html>). They may simply drive vehicles to the designated traffic lights, or use their vehicles as truck bombs. They may attack tourists in vehicles to achieve the halt of moving traffic, I would be ready for any scenario and be prepared to have kill units ready to address the attackers all the way down to tow trucks. Speed is the key to disrupting the plot and negating the physical damage at either target location.

– The casinos are no different than the Taj Mahal and Oberoi hotels Mumbai that were attacked in 2008, with the exception there are far more targets. Terrorists have decided to attack the casino–hotels for the same reason they attacked the hotels in Mumbai <https://www.youtube.com/watch?v=eBKTekkYy-E&nohtml5=False>:

–Unlimited victims

–Mumbai is the entertainment capital of India, Las Vegas touts itself as the entertainment capital of the world

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-The casinos are large and with thousands of tourists on the main floors gambling, dining, checking in, and going to shows—any attack on a Las Vegas casino would dwarf the number of victims killed the Mumbai attacks. The attacks will be simultaneous and involve several hotels. Again, it would take police days to find and remove all of the terrorists.

### **HOTEL DEATH TOLL ESTIMATES:**

-**MINIMUM** 500 deaths X5 wounded

-**MEDIUM** 1000 deaths X3 wounded

ISIS and Al Qaeda will make good on their threats, as they always do, and the results are devastating in terms of loss of life and losses to the economy.

The terrorists will use assault weapons and bombs (with ball bearings, nails, rat poison etc). They may attack police stations and hospitals to slow the response of law enforcement. And of course they will go after McCarran, I would not depend on the TSA, again it is not a security entity

[http://www.huffingtonpost.com/2013/12/23/airport-security\\_n\\_4494308.html](http://www.huffingtonpost.com/2013/12/23/airport-security_n_4494308.html) and as I warned the various pilot and steward unions in 2015, terrorists will go after them on buses, and the security free areas of the airport.

### **COUNTERMEASURES**

-Their view of security MUST be PRE-ACT don't react. Enacting extra/proper security *after* the attack serves as a double negative in terms of human losses and economic losses.

-There are security measures that can be taken without alarming the public or interfering with tourism.

-Intelligence and an EFFECTIVE *"see something, say something"* apparatus that works. Currently it does not locally or nationally. The smallest piece of information can prevent a disaster as with Times Square

<http://www.nydailynews.com/news/crime/times-square-vendors-lance-horton-duane-jackson-alerted-cops-times-square-car-bomb-article-1.445824>, and if James Woods had been correctly questioned and his information ran to ground from 1 August 2001 <https://www.youtube.com/watch?v=I0IzZvCNkIw>. Terrorist will buy weapons from gangbangers/criminals and this provides for an opportunity for them to be exposed.

-A real world active shooter counter plan based on worse case scenario for the Strip and Fremont. All officers must have access to rifles (not that officers have to necessarily carry them, but they should be close by)

<http://www.chicagotribune.com/news/ct-campus-police-rifles-20160409-story.html>. There must be plans to clear hotels infiltrated by the terrorists, speed is the important factor.

-The standing policy must be the Strip and Fremont 1st in the event of an attack and in preventing an attack—other parts of the city are on a *"get to when possible"* status.

-Las Vegas needs more police—50% more police officers, the time is now to get that funding from the federal government, but if tourists have to pay a little more, I would not hesitate to add that tax.

-The Strip has to be divided into security sections with a commander in charge for the sole purpose of putting down terrorists. This should be every 4.5 blocks maximum. There are numerous ways to achieve this without alarming tourists—they would have no idea of the increased security. The same works for Fremont adjusted to the size of the site. This allows for law enforcement to be in charge of the situation even after an attack has begun by limiting the mobility and space that the attackers can operate in. That is if attackers are limited to the area where their attack began, it will create disruption to their plan and more importantly confusion. They will be confined to a small operating area, leading to less casualties and

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their quick neutralization.

–More undercover agents for intelligence and physical security.

–Snipers and surveillance units staged covertly throughout the sites mentioned.

With the Sunnis (ISIS and Al Qaeda) engaged in their *"Tet Offensive"* it is not if but when Vegas is attacked, that will be either/and in the Spring, Summer, or Fall of 2016.

## **WHAT TO LOOK FOR**

Despite what most intelligence, law enforcement, and the public thinks, ISIS and Al Qaeda have complete and vast networks within the US to support their fighters. The terrorists see themselves as and are part of a large army based in the Muslim world, and supported by nations and prominent individuals such as the Saudi Royal Family as the links below indicate. The Canadian estimate from CSIS is more accurate, but still underestimates the true scope of the threat.

<http://www.miamiherald.com/news/state/article1973642.html>

<http://www.floridabulldog.org/2013/04/fbi-records-say-sarasota-saudis-who-fled-had-many-connections-to-individuals-tied-to-911/>

<http://www.miamiherald.com/news/local/community/miami-dade/article4395183.html>

–To this point, the EU and US authorities responsible for security from the political, intelligence, and security/law enforcement entities have failed to see the big picture, and worse the grand picture, and this is lethal. This has to be corrected. Law enforcement on the local level are fighting an army, and ISIS and Al Qaeda are Islamic Special Forces. It was always their plan to use the battlefield experienced gained by fighting Delta Force, Navy SEALs, Army Rangers, etc. and then turn those battle hardened fighters loose on American civilians. They plan to win or lose the war North America, specifically the cities of America and secondary towns. This network provides for additional intelligence gathering.

–The attackers and their handlers would have visited Las Vegas several times <http://www.nbcnews.com/storyline/brussels-attacks/suspect-admits-being-brussels-airport-attacker-known-man-hat-prosecutors-n553461>

–They will be educated, despite the myth of the opposite. Usually engineers or involved in the heavy sciences.

–They will have local contact(s) for logistic support, these individuals will be business owners, Mosque leadership, etc. They will have access to Western Union/Moneygram as part of their business. Ownership of small stores/grocery stores allows for access to the money transfer systems and materials such as acetone and peroxide in bulk.

–They will own restaurants as in the case of La Shish [https://www.fbi.gov/news/stories/2007/november/prouty\\_111307](https://www.fbi.gov/news/stories/2007/november/prouty_111307), a convenient meeting place that does not arouse suspicion. The restaurant and stores also allow for endless money laundering and financial support of the terror network.

–As with the Sarasota case, there are very high level visitors to Las Vegas involved in plotting attacks in Las Vegas *i.e.* a Godfather. There is an example of this I can discuss with the utmost confidentiality. There are hundreds of people that know of real world terrorist plots directed at Nevada, and are not going to say 1 word. When I stated that everyone who

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knew Nada Prouty and the owner of La Shish were involved with Hezbollah, that is literal. Although, Hezbollah are Shia's and ISIS and Al Qaeda are Sunnis, they do work together in the US as they do abroad, *i.e.* the Palestinian Sunni military wing Izzedine Al Qassam working with Hezbollah's military wings, which go by several names. Remember their sole objective is to attack Americans and Westerners and the instructions that the actual attackers have been given is, *"Go to where the Whites are."* As has been the case from the Bali bombings in 2002, through Paris, and Brussels.

There is more information, however I would move to take such issues as Black Lives Matter and school shooters off the plate of law enforcement. This can be easily done with the information in my possession and new tactics. Las Vegas has the opportunity of leading the way in this area, and at the same time expanding its budget by hosting the conference I warned was a necessity in 2015. As you can now see, my warnings, particularly the warning to get prepared for the ISIS/AL Qaeda onslaught was unfortunately accurate. Law enforcement is far behind the terrorists and this should be corrected immediately (with the proper equipment, personnel, and new legislation on the local and state level to prevent attacks and maximize law enforcement effectiveness).

Thank you and good luck.

Sincerely,  
Jerome Almon



----- Original Message -----

Subject: RE: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE:  
TERRORISM THREAT

From: "Carolyn G. Goodman" <[cgoodman@LasVegasNevada.GOV](mailto:cgoodman@LasVegasNevada.GOV)>

Date: Mon, April 11, 2016 2:30 pm

To: "[act@preactdontreact.com](mailto:act@preactdontreact.com)" <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Cc: Carolyn Levering <[clevering@LasVegasNevada.GOV](mailto:clevering@LasVegasNevada.GOV)>, Ted Olivas  
<[tolivas@LasVegasNevada.GOV](mailto:tolivas@LasVegasNevada.GOV)>

Mr. Almon, thank you for sharing your concerns about terrorism and its potential impact to the Las Vegas area. I have recently expressed my own concerns directly with Secretary Johnson of the Department of Homeland Security. As a city, we invest in many resources to ensure the safety of the community and the visitors we serve. As you know, we cannot prevent every possible act of violence or terrorism. We work very hard to ensure communication, cooperation and coordination with our local government agencies, the private sector and our state and federal partners to be prepared to achieve our 5 mission areas: prevent, protect, mitigate, respond, recover from terror attack.

I am forwarding your concerns to our Joint Terrorism Task Force and the Southern Nevada Counter Terrorism Center for further investigation. If you have knowledge of ***specific planned targets, modes of attack, or dates and times of planned attack***, please file a SAR (Suspicious Activity Report) as soon as possible with our [Counter Terrorism Center](#). This report may be sent anonymously if so desired."

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**CAROLYN G. GOODMAN, MAYOR**

Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

*City Hall is closed on Fridays*

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**From:** [act@preactdontreact.com](mailto:act@preactdontreact.com) [<mailto:act@preactdontreact.com>]  
**Sent:** Friday, April 08, 2016 3:15 PM  
**To:** Carolyn G. Goodman  
**Subject:** PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

The Honorable Mayor Carolyn Goodman:

I am contacting you concerning the information on terrorism below. Due to 2 incidents in Las Vegas and my familiarity with terrorism, I sent the email below to a Las Vegas commander, and have since contacted other commanders, corporate, and a Las Vegas politician with my concerns. Unfortunately, the response was as inadequate as the response the FBI agents, civilians, and well known individuals experienced when warning top DC officials about 9/11. This is why I and others are so reluctant to contact authorities concerning the issue, and specifically why I hesitated to contact the Las Vegas commander with my original warning (due to what I witnessed in Las Vegas). If it were not for the fact so many EU, Australian, Chinese, and Indian friends/kids that I know visit Las Vegas I would just ignore the situation and let it happen and then say I told you so to the media. (I am also covering myself by having proof that I did warn every authority responsible for public safety in Las Vegas, the US, and abroad.) I assure the situation is far worse than you know, and I would not underestimate it or the ruthlessness of the enemy. They have already picked out their targets and made their decision to carry out their missions no matter what. They will have to be physically stopped by an aggressive and competent campaign led by competent and aggressive law enforcement/intelligence officers.

Due to the seriousness of the situation, my ties to the EU, Australia, and other countries, I have warned Ministers that I have had previous contact with and others this week concerning issuing a travel warning to their citizens. I have not mentioned the city of concern, however as of next week I may have to. I do not want to get involved in the situation at all, I like 3 other top terrorist experts are fed up with the incompetence and politicizing of terrorism that has led to the disastrous attacks from 9/11, Paris, San Bernardino, and now Brussels. (The experts are former Clinton & Bush terrorism expert Richard Clark, former CIA agent/CNN consultant Bob Baer, and former Bin Laden desk Chief Michael Scheuer.) We have all reached this point due to our being completely correct in our forecasts and strategies for addressing terrorist threats, and the individuals and entities that were listened to being dead wrong each and every time. An audit of my record on forecasting terrorist trends and events to be irrefutably accurate, and an audit of the "experts" to be irrefutably inaccurate.

The individuals that are sought after to address terrorism in the US by the government and media are not actually experts—are you aware of that? If you are counting on US or local counter terrorism officials to save Las Vegas—I would stock up on body bags, you're going to need them.

Those responsible for anti-terrorism measures in Las Vegas and the US as a whole have no idea what they are up against, nor do they have a clue as to how to negate the threat—hence why ISIS/Al Qaeda continue to beat them to the punch.

**EXAMPLES:**

—The only people that did not know that Ms. Prouty a terrorist mole were the Directors of the FBI and CIA

CLV000549

(literally) that fought over her and gave her the highest awards the agencies has [https://www.justice.gov/archive/opa/pr/2007/November/07\\_nsd\\_910.html](https://www.justice.gov/archive/opa/pr/2007/November/07_nsd_910.html) <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>. There are a lot more Nada Prouty's in the US committing the same act. Ms. Prouty proves a Middle Easterner cannot be vetted, there are many just like her in the US that have US passports, driver's licenses, and they are in no way who the government thinks they are right down to the names on those documents.

-This terrorist pioneer lived 2 miles down the road from me [http://articles.chicagotribune.com/1985-06-19/news/8502090070\\_1\\_lebanon-david-berry-nabih-berri](http://articles.chicagotribune.com/1985-06-19/news/8502090070_1_lebanon-david-berry-nabih-berri)

I grew up here and know or have met all of the people connected to this issue and I assure you the situation is far worse than is suspected by authorities. I have met and talked to many of the individuals responsible for stopping these terrorists, and trust me-the terrorists are far ahead of the opposition.

[http://www.mlive.com/news/detroit/index.ssf/2014/08/report\\_more\\_residents\\_in\\_dearb.html](http://www.mlive.com/news/detroit/index.ssf/2014/08/report_more_residents_in_dearb.html)

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=plane+terrorism+dearborn+>

### **LAS VEGAS CONNECTION**

<http://www.wxyz.com/news/local-news/investigations/happys-pizza-headquarters-raided-by-irs-criminal-division-dea> ( Las Vegas has a franchise and a lot more connections to Detroit/Dearborn than you likely are aware of. It is a case of this <https://www.youtube.com/watch?v=JcZHSgyos6g>)

I have talked with the founders of this business several times and this case was strictly about terrorist funding as in this case [http://www.mlive.com/lansing-news/index.ssf/2011/12/report\\_several\\_southeast\\_michi.html](http://www.mlive.com/lansing-news/index.ssf/2011/12/report_several_southeast_michi.html).


In closing, my original warning should have been ran to ground, the fact that it wasn't is proof of just how off and far behind Las Vegas is in addressing Paris and Brussels style attacks (this week every Minister from every foreign country I contacted responded with a phone call or/and email seeking further information because they now "get it?") To be direct, authorities in Las Vegas and the US have their heads in the sands regarding the issue of terrorism and must change their strategy and tactics while they still have a chance to do so. With Las Vegas having the worst inherent terrorist vulnerabilities of any major city, Las Vegas should be much more precise and aggressive in avoiding such an attack (which is possible). An attack in the manner that I have forecast would dwarf the Paris body count by a minimum of X5, however it will be worse. The intelligence, physical security, and counter measures of Las Vegas are an invitation for an attack, and the terrorist know all of the cities vulnerabilities as well as I do.

No casino pit boss, dealer, etc. could have the record of the anti-terrorism leadership and still be employed in Las Vegas, it is the equivalent to them "losing" track of a million dollars every day for a year and the casino owners and Gaming Control Board accepting any explanation he came up with as legitimate. This would never happen. The see something say something just does not work as Brussels, Paris, and San Bernardino prove with the number of people that knew and didn't talk for various reasons. The #1 reason is that people simply have no confidence in authorities taking proper action. Examine my experience with the issue, each time I am putting my life and business life in danger by even contacting authorities in Las Vegas, and not once has anyone so much as responded or asked me how and why I reached the conclusions I have reached. This is a mirror of the warning by James Woods cited below regarding 9/11-it all could have and should have been ended right then and there. The mindset of law enforcement/political leadership on the municipal level must change, at the end of the day the battle and ramifications are like all politics-local.

CLV000550

As you know the odds always catch up, and luck runs out. Vegas' luck is about to run out in the worst of ways. If you would like the scenario I war gamed, I will forward it upon your request.

Thank you and good luck-

Sincerely,  
Jerome Almon  


**EMAIL TO LV COMMANDER**

----- Original Message -----

Subject: INFORMATION ON SAFETY ISSUES-LAS VEGAS

From: <[info@thecountermedia.com](mailto:info@thecountermedia.com)>

Date: Sat, May 17, 2014 1:02 pm

To: [ted@tedmoody.com](mailto:ted@tedmoody.com)

Sheriff Moody:

Thank you for you response and time regarding the issues below:

**1)THE TERRORISM ISSUE:**

As you are certainly aware of, Al Qaeda has Las Vegas as one of its top 5 main targets, specifically the Strip. I am certain that the area has been scouted and targets selected based on my experience in the area and my observations of individuals and groups while in Las Vegas. They will hit what is most familiar with them, and Las Vegas is very familiar to them. (For example the mastermind behind 911 graduated from the University of North Carolina <http://edition.cnn.com/2002/US/South/12/19/al.qaeda.aggie/> .

**ACTIONS THAT WILL BE TAKEN BY TERRORIST:**

A) <http://newyork.cbslocal.com/2014/03/19/al-qaeda-magazine-calls-for-car-bombings-in-u-s-new-york>

B) <http://www.cnn.com/2013/09/18/world/asia/mumbai-terror-attacks/>

**RECOMMENDED COUNTER MEASURES:**

A) Special response teams will not get to the site in time, and must be in place PRIOR to any incident in the immediate area.

B) *CONTAIN AND KILL*-officers must be prepared to neutralize the terrorist at the point of attack, i.e. the attacker cannot be allowed out of the building, off the block, or off the side of the street where they attacked (Las Vegas Blvd is a perfect kill zone for a terrorist due to its geography, such as the inability to cross the Strip in certain areas combined with the natural traffic volume.) Point blank, these are the same individuals and groups that Delta Force, Navy SEALs, Army Rangers, Airforce Commandos, and Marine RECON/special forces faced on the battlefields of Iraq and Afghanistan-they are not to be under estimated. (Essentially they are Islamic special forces.) They are going to attack sooner than later.

C) Las Vegas should have its own anti-terrorism unit on the level of the NYPD's anti-terrorism unit, NYC learned its lesson the hard way 911-YOU CANNOT DEPEND ON THE FEDERAL GOVERNMENT TO PROTECT YOUR CITY. As

CLV000551



you will see in the information from the Canadian CIA (CSIS) and the response to that information from both that unit and myself, the federal authorities are grossly out of touch with reality regarding terrorism.

– <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>

– <http://www.nydailynews.com/news/world/fbi-appalled-cia-veterans-defense-agent-nada-nadim-prouty-lies-article-1.258534>

– <http://pamelageller.com/2007/12/hezbo-mole-cruc.html/>

I assure you this is not close to the worst.

I am well versed in this area as you will see due to my studies/duties as a university guest lecturer, and personal experiences however most of my experience is first hand. I left college and joined the US Army, several individuals that I attended college with left college and joined our enemy and did fight against the US in numerous war zones around the world. These individuals are supported by groups in America, and know the country as well as you and I do.

### **TSA NOT TO BE DEPENDED ON**

[http://www.huffingtonpost.com/2013/12/23/airport-security\\_n\\_4494308.html](http://www.huffingtonpost.com/2013/12/23/airport-security_n_4494308.html)

<http://www.cbsnews.com/news/u-s-border-patrol-has-a-sex-abuse-problem-says-whistleblower/>

(Morale within the agency is as low as its competence–my letter warning of issue.)

**30 MARCH 2009**

Secretary Janet Napolitano  
Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

Secretary Napolitano–

I am writing you concerning a pervasive and unacceptable sanctioned policy within the Department of Homeland Security of the sexual harassment of female traveler's entering the United States. I have been informed by numerous female travelers coming to visit me in the United States from Norway, Germany, and especially Canada that they are routinely harassed by male DHS inspectors. I find the allegations completely credible due to the carbon copy stories from the females, and the profile of the females– all attractive teen or near teen girls traveling alone. The harassment is so overt that it is impossible that supervisors are not aware of it, do not witness it, and in fact sanction it.

I have a substantial amount of both academic and field study experience in this area, and have personally witnessed the practice by DHS employees myself. This should be addressed in the open without hesitation. It is insulting to the female travelers, and also opens up US females to the retaliatory actions by the security personnel of other countries–which I assure has happened. Certainly with all the alleged dangers facing Americans and the gaping holes in border security at the various ports of entry, DHS does not have the luxury of expending valuable energy and tax payers money on sexually harassing female travelers.

CLV000552

I thank you for your time and consideration and will await your reply.

Sincerely,

Jerome Almon

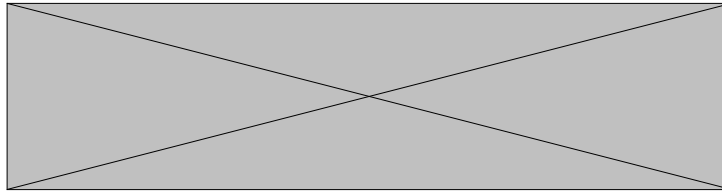
----- Original Message -----

Subject: Re: DHS RAPE/MURDERS-SCHOOL SHOOTINGS

From: "Senator Debbie Stabenow" <[senator@stabenow.senate.gov](mailto:senator@stabenow.senate.gov)>

Date: Wed, December 23, 2015 11:48 am

To: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>



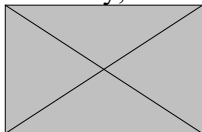
Dear Jerome,

Thank you for contacting me about the reports of sexual misconduct and abuse by U.S. Customs and Border Protection agents. I appreciate that you have taken the time to communicate your views and concerns with me.

I share your concern about this issue. Should related legislation come before the U.S. Senate for a vote, I will keep your views in mind, and share your thoughts on this issue with my colleagues who serve on the Senate Homeland Security and Governmental Affairs Committee.

Thank you again for contacting me. Please continue to keep me informed about issues of concern to you and your family.

Sincerely,



Debbie Stabenow  
United States Senator

U.S. Senator Debbie Stabenow  
The United States Senate • Washington, DC 20510  
[stabenow.senate.gov](http://stabenow.senate.gov)

**POLICE NOT EQUIPPED FOR TERROR ATTACK IN NYC-OR ANYWHERE ELSE**

<http://observer.com/2015/11/sergeants-union-boss-nypd-patrol-cops-not-ready-for-paris-style-terror-attack/>

**9/11 WARNINGS IGNORED BY AUTHORITIES**

CLV000553

<http://www.wnd.com/2006/03/35348/>

<http://www.newsweek.com/saudi-arabia-911-cia-344693>

<http://truth-out.org/archive/component/k2/item/61531:fbi-agent-says-he-warned-of-911-hijackings>

[http://www.democracynow.org/2004/4/9/two\\_fbi\\_whistleblowers\\_accuse\\_bureau\\_of](http://www.democracynow.org/2004/4/9/two_fbi_whistleblowers_accuse_bureau_of)

<http://www.cbsnews.com/news/fbi-was-warned-about-flight-schools/>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=fbi%20agent%20warning%20911>

**WHAT IS NOW DHS AND NYC WERE WARNED AT THE SAME TIME OF THE THREAT AND ONLY ACTED AFTER MY FORECAST CAME TRUE**

----- Forwarded Message -----

**From:** "WEB.COMMENTS@customs.treas.gov" <[WEB.COMMENTS@customs.treas.gov](mailto:WEB.COMMENTS@customs.treas.gov)>  
**To:** [REDACTED]  
**Sent:** Thursday, September 20, 2001 9:40 AM  
**Subject:** Detroit/Windsor security/GYR

Thanks for your message. I am forwarding it onto the Security Team for investigation.

Customs/GYR

[REDACTED] (Jerome Almon)  
09/14/01 03:54 PM

To: [web.comments@customs.treas.gov](mailto:web.comments@customs.treas.gov), [technical@customs.treas.gov](mailto:technical@customs.treas.gov)  
cc:  
Subject: U.S. Customs Website Comment.

Below is the result of your feedback form. It was submitted by  
Jerome Almon ([REDACTED].com) on Friday, September 14, 2001 at 15:54:31

-----  
email [REDACTED].com

subject-of-this-message: Detroit/Windsor Security

website\_comments: I have had previous contacts with your office issues (specifically Bonnie Tischler). I feel it is necessary to reintroduce this information ( I will send a copy of this information to US Senator Carl Levin.) I have made complaints against certain procedures and individuals at the Detroit/Windsor border crossing. I also corresponded with the Canadian Minister for Immigration (Elinor Caplan) concerning the fact that even the supervisors at the Canadian border do not understand much of the information they need to concerning legitimate vs. false documentation. (I unfortunately am able to prove this point.) Meaning if say a person was on a wanted list -the Canadians often ask the person to interpret the information.

Finally the Detroit/Windsor tunnel. It is a disaster waiting to happen. Since the US checks cars AFTER they have entered the tunnel (as does Canada) -doesn't that defeat the objective

CLV000554

of stopping a terrorist act in the tunnel? The check should happen before the tunnel is entered, and after-or the tunnel should be closed.

-----  
REMOTE\_ADDR: 24.131.62.95

HTTP\_USER\_AGENT: Mozilla/4.0 (compatible; MSIE 5.0; Windows NT; DigExt)

I originally warned a agent at a federal law enforcement entity of the threat on 9/11 and although he agreed I was correct, he took no action, stating he didn't exactly know what to do regarding the information, and that he was quite frankly stunned at the danger. Only when an individual drove through the tunnel with what appeared to be a bomb on his front seat did the politicians take the matter up, as you will see with NYC. The tunnel is in a far worse position than it was on 9/11 due to Detroit's economic collapse, the influx of more Middle Easterners into Canada, and this <http://www.reuters.com/article/us-detroit-tunnel-bankruptcy-idUSBRE9600RT20130725>.

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Tighter security at border hits snag

Legal issues may block U.S., Canada checks before crossing

By Lisa Zagaroli / Detroit News Washington Bureau

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WASHINGTON -- Checking travelers between the United States and Canada after they've crossed the border -- which some liken to checking airline passengers after they land -- is being scrutinized by officials concerned that bridges and tunnels could be vulnerable to attack. Lawmakers are pressuring the U.S. Customs Service and Canadian officials to come up with a decision this week on whether the countries can swap inspection locations.

An alternative to paying a toll, crossing the bridge or tunnel, and then being scrutinized by Customs officials once inside the other country's territory is to do inspections before crossing.

Although the reverse inspection system is the only solution being lobbied to enhance infrastructure safety, the two nations haven't agreed on how to settle legal obstacles. An old idea revived by the Sept. 11 terrorist attacks, a revised system would involve numerous agencies in both countries in the decision.

"This reverse clearance proposal has a number of sovereignty and structure issues attached to it," said Michel Proulx, spokesman for the Canada Customs and Revenue Agency in Ottawa.

"There are a lot of players involved in all of this. It's difficult to get a sound, concrete answer. No one department or agency would be able to say yes or no."

There's little to stop someone who wanted to damage the Ambassador

CLV000555

Bridge, Detroit-Windsor Tunnel, or even Detroit Metropolitan Airport, if the crime is done before the perpetrator even gets to an inspection point, critics say.

Besides the human safety concern, destroying any one of the border-crossing points would do serious harm to the auto industry, one of the United States' economic engines, and many other businesses that rely on just-in-time delivery of material. Michigan had \$70 billion in trade with Canada in 2000.

**"Every time I drive through that tunnel, I expect something to happen," said Jerome Almon, a Detroiter who drives to and from Toronto at least twice a month.**

**"Osama bin Laden says the economy is what they want to attack, and you cannot find a more decimating effect than that bridge or tunnel on our economy. You will kill Detroit, it's over, goodbye. But think of the effect on the rest of America."**

Firearms an issue

Aside from jurisdiction, the question of whether U.S. Customs agents should carry firearms in Canada is of particular concern to Canadians. Canada is known for being much less tolerant of guns than the United States.

"Our Customs officers are not armed and at this point in time we still feel there is no reason for them to be," Proulx said.

"We have a study going on right now to determine whether the tools they have are adequate to do their jobs safely and with full security. The U.S. (agents) are (armed) and definitely that would be one of the snags in the issue."

The preclearance concept does have precedent. U.S. Customs agents inspect U.S.-bound passengers at six Canadian airports so they don't have to be routed through Customs once they arrive like travelers on flights from every other country, said former Michigan Gov. James Blanchard.

He spearheaded the "open skies" agreement when he was U.S. ambassador to Canada.

The real stumbling block to doing this at bridges and tunnels will be working out how much authority each side is given to enforce the other country's laws, he said.

"You could always prevent (a suspicious passenger) from getting on the plane," Blanchard said. "The question is who arrests them, can they say 'I choose not to fly' then go home, or do we hold them?"

Sen. Carl Levin, D-Detroit, said he thinks all of the issues can be worked out.

"The only impediment here is bureaucratic impediment," he said. "Even though there's supposed to be an urgency after Sept. 11, there seems to be some unnecessary foot-dragging."

Levin and Sen. Debbie Stabenow, D-Lansing, sent a letter to Customs Commissioner Robert Bonner on Jan. 4, insisting on a progress report by Friday.

"It is obvious that inspecting vehicles for dangerous contents such as bombs or explosives after they enter our tunnels or cross our bridges

is inadequate," they wrote.

Customs spokesman Jim Michie said he wasn't sure when a decision would be made on reverse inspections, but that it was being closely studied.

Tighter local security

Local authorities say they've taken the steps they can to bolster security.

Travelers who use the Detroit-Windsor Tunnel are no longer allowed through unless operators are certain they can make to the other side without backups, said Gordon Jarvis, president of the Detroit & Canada Tunnel Corp.

"If there is an incident and you need to get out, there is space for you to do so, and there are fewer cars in the tunnel at any one time," Jarvis said. "It also makes it much easier for us to identify when there are incidents in the tunnel."

Jarvis said reverse inspections are a viable option at the tunnel, despite the smaller queue area, compared to other crossing points like the Ambassador Bridge.

The owners of the Ambassador Bridge have installed new lighting, fencing and surveillance cameras, as well as armed security 24 hours a day, said Dan Stamper, president of the Detroit International Bridge Co. Stamper said the bridge company is paying for the extra security.

"We're not sure whose responsibility it is for the cost of security, but we are not in the position to say it's not going to be done," he said.

The bridge authority has completed plans showing that logistically, preclearance can be implemented on an interim basis within 90 days, Stamper said. In doing so, there would be the added bonus of huge efficiencies in traffic flow.

"The current six lanes that cross the border, two at the tunnel and four at the bridge, become traffic lanes and not parking lots," Stamper said. "It increases the capacity of both the tunnel and the bridge, a lot more than anything else we can do today."

Blue Water Bridge study

Bruce Campbell, the engineer manager of the Blue Water Bridge, said the proposal is being examined as part of a long-term security review of the span connecting Port Huron with Sarnia, Ontario.

With the Ambassador Bridge being the busiest U.S.-Canada entry point, carrying 12 million vehicles a year, the economic implications for the region are enormous.

"One 18-wheeler goes across that bridge every eight seconds," said Carmine Palombo, director of transportation planning at the Southeast Michigan Council of Governments.

The implications for the bridge and tunnel operators are significant as well.

"They're all looking at an out-of-pocket expense they hadn't anticipated," said Neil Gray, director of government affairs at the International Bridge, Tunnel and Turnpike Association, which represents toll agencies.

"Nobody wants to do a toll increase to reflect this, in fact I'm not sure anyone has proposed one, but it's an issue we are all having to think about."

Protecting airports is a concern as well, though most of the attention has been on protecting aircraft against air piracy, Capt. Duane E. Woerth, president of the Air Line Pilots Association, told senators late last year.

Noting that airports in Rome and Vienna have been hit, Woerth said he's worried terrorists could attack ticket counters, check-in facilities and lines of passengers waiting outside.

Airlines, bridges and tunnels are experiencing lower traffic flow because of leisure travelers concerned about terrorist risks.

**Almon, the Detroit resident who travels to Toronto on business, said he's a former combat engineer with the Army and he's concerned about how easily a carload of explosives put together with store-bought material could take out the bridge or tunnel.**

**"At the mouth of the Detroit tunnel sits General Motors headquarters, a terrorist would get two for one with that," Almon said.**

<http://www.dailymail.co.uk/news/article-1334404/US-subway-tunnels-terror-proof-600m-ring-steel.html>

<http://nypost.com/2010/11/30/path-tunnels-get-600m-ring-of-steel/>

<http://www.cbc.ca/news/canada/windsor/story/2012/07/12/wdr-windsor-detroit-tunnel-closed.html>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=bomb%20in%20detroit%20windsor%20tunnel>

Ahmed Ressam, the Millennium bomber had the Detroit-Windsor tunnel, GM HQ, and the Ambassador Bridge as his secondary targets if he could not reach LAX. Had he chosen either, he would have been 100% successful and 9/11 would not be close to America's worst terrorist attack. <https://www.fbi.gov/about-us/history/famous-cases/millennium-plot-ahmed-ressam>

**THIS EMAIL WAS THE RESULT OF ONE OF NUMEROUS SECURITY WARNINGS I SENT TO THE CANADIANS COMING TRUE AND THE US SECURITY AND POLITICAL AUTHORITIES NOT UNDERSTANDING THE IMMINENT DANGER**

From: Minister of Transport, Infrastructure and Communities / Ministre des Transports, de l'infrastructure et des Collectivités <MINTC@tc.gc.ca>

Date: Thu, Oct 13, 2011 at 1:24 PM

CLV000558

Subject: Proposed construction of a new bridge  
To: "almonjer@gmail.com" <almonjer@gmail.com>  
Cc: "cims\_oper@pm.gc.ca" <cims\_oper@pm.gc.ca>

Dear Mr. Almon:

Thank you for your correspondence of July 18, 2011, regarding the proposed construction of a new bridge between Detroit and Windsor. Please accept my apologies for the delay in replying.

Again, thank you for writing and for providing me with your comments.

Yours sincerely,

Denis Lebel, P.C., M.P.

c.c. Office of the Right Honourable Stephen Harper, P.C., M.P.  
Prime Minister

The issue with the Ambassador Bridge is equally troubled, the owner has successfully blocked a new bridge being built. The issue too closely resembles the Dubai Ports issue [https://en.wikipedia.org/wiki/Manuel\\_Moroun](https://en.wikipedia.org/wiki/Manuel_Moroun). Ottawa wrote me 90 days after my warning to CYA and because again what I warned them about occurred.

The largest portion of the trade comes through the tunnel and bridge mentioned <https://www.commerce.gov/news/blog/2014/01/secretary-pritzker-highlights-strong-economic-partnership-between-usa-and-canada>

## **PARIS-SAN BERNARDINO-BRUSSELS**

----- Original Message -----

Subject: RE: JEROME FROM WAYNE STATE UNIVERSITY

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Wed, October 21, 2015 11:44 am

To: "Mitja\_Žagar" <[mitja.zagar@guest.arnes.si](mailto:mitja.zagar@guest.arnes.si)>

Dr. Zagar-

Good to hear from you. I am sorry I just got to my email messages, I am working on several other huge projects that all come back to the migrant issue. I will have to hook up Skype, I don't know how it works to be honest.

CLV000559



The situation in the States is pretty dire. We are essentially at civil war with the country collapsing socially. All of the work that you and Dr. Feinstein did and your forecasts turned out to be 100% accurate. Simply put, America bet on the wrong people with the wrong plans and now we are getting our comeuppance.

I am against the re-settling of immigrants in the US or Europe, it will most certainly lead to more conflict in both areas and the Middle East. The only hope is establishing a safe zone in Syria and Iraq, which is as close to impossible as it gets considering the collapse of the basic structures and the radicalization of the factions. Electing George Bush was the worse event that has happened to the world since WWII. I will get on Skype and send you another email asap. I am moving to Berlin to work on a large social media project in the next 30–60 days. In the meantime I am sending these articles for your review concern my thoughts on the migrant issue. Would you be able to attend a conference on the issue of the migrants and school shooter issues in Europe or the US with all expenses and a fee paid to you?

**The other issue I am extremely concerned about is a threat that would end Detroit, cost America 2 million jobs in a week, and plunge the stock market to below 2008 and 911 levels. The Iran deal was done in part due to Iran has 40,000 agents in or at America's borders prepared to attack if Iran's nuclear facilities were attacked. That is the good news, the bad news is the Sunnis have 3X that many agents in the US and are preparing for their "Islamic Tet offensive."** With Russia, out of necessity intervening in the Syrian/Iraq war and the US govt. giving behind the scenes approval for the Russian–Iranian–Alawite axis which will inevitably bring in Israel and the US the Sunnis will go after the US and Canadians on their own soil in a much more aggressive and massive way. My assessment is that the Chinese will be drawn into the war due the unrest with the Xinjiang Province and the Uighars. The Islamic State (IS) has spread throughout Central Asia and will take Afghanistan and defeat the Taliban in the end unless there is a "mass war event." It is my contention that Putin has decided to that. He cannot lose the Syrian–Iraq War, he cannot allow the IS to continue to grow in the Central Asian Republics, and Afghanistan, and he is not giving up Crimea, and does not have the military resources nor money to fight a prolonged war. I believe Putin is planning to use a tactical/battle field nuclear weapon (NATO appears to be thinking that way on the Ukraine which is insane). Most of the intelligence guys that I respect believe that is the only way to stop the IS/Sunnis or to completely withdraw from the Middle East. What is your opinion?

Thanks–

Jerome

(My numbers on the size of the networks mentioned are accurate I assure you. 2 other

CLV000560

respected security/intelligence officers that have a proven track record of accuracy, agree with me. The messages I sent to US authorities were more detailed and were sent in the Spring of 2014, and the Spring and Summer of 2015.)

### **DR. ZAGAR BIO**

#### **CV**

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=mitja%20zagar%20cv>

### **INTERVIEW**

[http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h\\_b\\_7620756.html](http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h_b_7620756.html)

### **PUTIN STATEMENT ON NUCLEAR WEAPONS**

<http://www.express.co.uk/news/world/625465/Islamic-State-Russia-Vladimir-Putin-threatens-bomb-ISIS-nuclear-weapons>

### **WARNING TO AIRLINE INDUSTRY THAT FORESAW BRUSSELS ATTACK**

----- Original Message -----

Subject: THE THREAT OF TERRORISM TO THE TRAVEL INDUSTRY AND CORRECTIONS THAT MUST BE MADE

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Sun, November 29, 2015 7:59 pm

To: [president@apfa.org](mailto:president@apfa.org), [Nancy.Rivard@airlineamb.org](mailto:Nancy.Rivard@airlineamb.org),  
[public-comment@alliedpilots.org](mailto:public-comment@alliedpilots.org), [PMclsaac@americanpilots.org](mailto:PMclsaac@americanpilots.org),  
[comm.chair@alliedpilots.org](mailto:comm.chair@alliedpilots.org)

Cc: [communications@apfa.org](mailto:communications@apfa.org)

Sir or Madam: I am forwarding the following information sent to first responders, due to its application to your industry. To be direct, I have warned your union several times since 9/11 of these very threats, and the actions of the leadership has not matched the threat. Unfortunately, this is the same conduct of law enforcement and political leadership regarding what is now a catastrophic situation. That is, the industry will suffer huge losses in both personnel and revenue due to the lack of taking prudent steps to pre-act rather than react to obvious threats. The only hope in negating or minimizing the threat is for the travel, hotel, and tourism industries along with the pilot and flight attendant unions (and their allies) to join forces and seek to have necessary security and industry support measures put in

CLV000561

place without political consideration. The needed measures must be completely based on the real world security and economic threat that exists, and is getting worse by the minute. The losses France and Belgium are suffering are just the beginning, and minor in compared to an Egypt Air or Russian Sharm El Sheikh incident in North America or Europe. I assure you, the threat is far worse than is known even to most of the law enforcement community.

Sincerely,

Jerome Almon

### **ECONOMIC IMPACT**

<http://www.dailymail.co.uk/news/article-3338173/Terror-attacks-Paris-means-visitor-numbers-Europe-tumble-France-lost-1-4bn-tourism-revenue.html>

<http://www.dailymail.co.uk/news/article-3338512/EU-leaders-agree-Turkey-2-1-billion-help-tackle-migrant-crisis-tighten-security-borders.html>

### **UNADDRESSED THREATS TO YOUR INDUSTRY**

–Foreign pilots compromised by ISIS or Al Qaeda committing an act similar to the pilot of Egypt Air 990 at an airport, city, or against another passenger airliner –An attack on airports using car/truck bombs and suicide bombers/shooters against shuttle buses and the non-secure areas of the airport such as ticketing – Compromised airport personnel (this is worse than is indicated here)

<http://www.nydailynews.com/news/world/isis-terrorist-minneapolis-worked-major-american-airport-report-article-1.1925924>

<http://www.express.co.uk/news/world/622702/easyJet-Paris-attacks-France>

<https://www.rt.com/news/323811-paris-airports-fired-radicalization/>

### **TRUE STATE OF THE TERRORIST THREAT IN AMERICA**

From Canada's CIA (CSIS):

*"Many Canadians may be surprised to learn that, with the exception of the United States, there are more terrorist groups active in Canada today than in any other country in the world."*

### **VERIFICATION**

<http://www.torontosun.com/2013/01/23/algerian-terrorists-had-canadian-ties-eh>

The information was removed from the website in late 2013 due to White House protests, the largest number of these terrorist are at the South end and North end of the tunnel and bridge cited below.

### **THESE REPORTS ARE FICTION**

<http://www.cnn.com/2015/12/01/politics/isis-in-united-states-research/>

<http://www.foxnews.com/world/2016/03/23/isis-trains-400-fighters-to-attack-europe-in-wave-bloodshed.html>

There are more than 400 ISIS operatives and 300 recruiters in my neighborhood. As with the deliberate ignoring of the 9/11 warnings, these non-scientific reports will result in the deaths of untold numbers of civilians.

### **ISIS INTELLIGENCE FRAUD**

<http://www.cnn.com/2015/12/01/politics/michael-flynn-obama-isis/>

<http://www.thedailybeast.com/articles/2016/04/03/intel-analysts-we-were-punished-for-telling-the-truth-about-obama-s-isis-war.html>

[http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?\\_r=0](http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?_r=0)

This failure to provide and act on the factual information regarding ISIS has led to every death of Westerners from 2012 forward– at least including Paris and Brussels. It also has American cities in the disastrous position they are in.

### **BND WARNING TO GERMAN CHANCELLOR ANGELA MERKEL**

<http://www.dailymail.co.uk/news/article-3290092/Germany-s-secret-service-warns-country-importing-Islamic-extremism-anti-Semitism-people-s-ethnic-conflicts-different-understanding-society.html>

### **NEW YEARS EVE RAPES/RAPES ACROSS EUROPE FROM REFUGEES**

<http://www.dailymail.co.uk/news/article-3388422/Huge-influx-migrant-men-lead-sex-attacks-like-Cologne-says-analyst-police-reveal-gangs-blocked-reaching-women-screamed-help.html>

## **REFUGEE SUPPORTER AND MAYOR OF COLOGNE VICTIM AND HYPOCRITE**

### **COLOGNE MAYOR FIRES POLICE CHIEF OVER NEW YEARS EVE RAPES**

<http://www.thelocal.de/20160108/po>

### **COLOGNE MAYOR STABBED FOR SUPPORTING REFUGEES**

<http://www.thelocal.de/20151017/german-mayoral-candidate-stabbed-in-cologne>

### **ATTACKS ON REFUGEES IN GERMANY REACHES MORE THAN 1,000**

<http://www.dw.com/en/report-five-times-more-attacks-on-refugee-homes-in-germany-in-2015/a-19011109>

### **EU/AUSTRALIAN ISSUE**

<http://www.dailymail.co.uk/news/article-3291416/Google-defamed-Australian-woman-auto-complete.html>

<https://www.google.com/#filter=0&q=American,%20Australian,%20And%20European%20Group%20Calls%20For%20Shut%20Down%20Of%20Ripoff%20Report>

### **WE ARE NOW AT THE CENTER OF THIS CASE IN THE EU**

<http://www.wsj.com/articles/eu-to-pursue-google-parent-alphabet-on-multiple-fronts-vestager-says-1445817842>

### **RIPOFF REPORT IS THE BUSINESS AND ROLE MODEL FOR THESE CRIMINALS**

<http://www.nbcnews.com/news/crime-courts/revenge-porn-kingpin-hunter-moore-pleads-guilty-faces-jail-n313061>

<http://www.nbcsandiego.com/news/local/Kevin-Bollaert-Revenge-Porn-Sentencing-San-Diego-298603981.html>

[http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article\\_cce5e80f-786a-5f66-8763-3ecb30cadb71.html](http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article_cce5e80f-786a-5f66-8763-3ecb30cadb71.html)

On Fri, 10/20/06, [bayly@.de](mailto:bayly@.de) <[bayly@.de](mailto:bayly@.de)> wrote:

From: [bayly@.de](mailto:bayly@.de) <[bayly@w.de](mailto:bayly@w.de)>

Subject: FW: jerome almon

To: [REDACTED]

Date: Friday, October 20, 2006, 3:42 PM

hey jerome... how ru doing? well, received the following e-mail today.... tell me if i should give him the contacts he wants or if u wanna do it urself... my mom is here for 4 days.. been to jazz concert yesterday and will go to branford marsalis concert 2morrow... its jazz too.... and right now just got back from the adidas store... man i am addicted ;) cant go there without buying smth... even when i am broke just like right now... well, hope to hear from u... (I refused to do the documentary below for the same reasons certain entities need to police themselves better.)

Von: "scott corben"

Gesendet: 20.10.06 12:41:27

An: [bayly@.de](mailto:bayly@.de)

Betreff: jerome almon

Hi Katja,

I got your contact details from Marie at Freemuse in Denmark. My name is Scott Corben and I am a producer with Al Jazeera Television in London.

I am researching a piece on soldier in the United States and I am really keen to speak to a guy called Jerome Almon. I believe he is based in Detroit. Maries tells me that you may have some way of contacting him. If you have an up to date email or phone number I'd really appreciate it.

Look forward to hearing from you

best regards,

Scott

Producer/Director "Top Secret"

Al-Jazeera Satellite Channel Ltd

7th Floor Westminster Tower

3 Albert Embankment London SE1 7SL

Switchboard: [+44 \(0\) 207 820 4820](tel:+442078204820)

CLV000565

Fax: [++44 \(0\) 207 820](tel:++44(0)207820)

## **BIO**

–I am a university lecturer/expert on domestic violence, international politics, terrorism, and urban crime. I worked under global experts Dr.'s Mitja Zagar (Slovenia and co-author of their Constitution/Syrian refugee & security expert/Top EU negotiator), Otto Feinstein head of the Urban Agenda and author of Ethno-Development, Richard Mansbach-CIA consultant, and worked on the UN project at the University of Toronto the Delphi Project out of Belgium. Recommendation on a security issue led to DHS changing its border policy and NYC spending \$600 million to correct a catastrophic security flaw. I have been the target of an Al Jazeera documentary due to my correct predictions as well as featured on the front page of the most visited Jihadist website on Earth for a decade.

–1 year tour in the first Iraq War, am a paratrooper, combat engineer (explosives expert, featured on A&E for saving my unit's mission during combat, and awarded directly from the Pentagon for saving my task force's mission), was drafted as a translator during the war and POW camp designer, taught my brigade basic Arabic language, numerals, and history.

**To:** Cheryl Russo[crusso@LasVegasNevada.GOV]  
**From:** Carolyn G. Goodman  
**Sent:** Mon 4/11/2016 9:24:05 PM  
**Subject:** FW: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

!!!!!!!



**CAROLYN G. GOODMAN, MAYOR**

Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

*City Hall is closed on Fridays*

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**From:** Carolyn Levering  
**Sent:** Monday, April 11, 2016 1:18 PM  
**To:** Carolyn G. Goodman  
**Cc:** Lora Kalkman  
**Subject:** RE: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Well, this is certainly...interesting. I do not recall having seen or heard of such communications from this person until now. I will forward the string to the Fusion Center to follow up on. If his message reached Ted Moody prior to his retirement, he would have sent it along to SNCTC as well. If so, they will have a file started on this person and any communications they may have had with him since. His initial warning in May 2014 has yet to pan out and with no specifics to go on, there's not much we can do.

I recommend your response read something to the effect of:

"Mr. Almon, thank you for sharing your concerns about terrorism and its potential impact to the Las Vegas area. I have recently expressed my own concerns directly with Secretary Johnson of the Department of Homeland Security. As a city, we invest in many resources to ensure the safety of the community and the visitors we serve. As you know, we cannot prevent every possible act of violence or terrorism. We work very hard to ensure communication, cooperation and coordination with our local government agencies, the private sector and our state and federal partners to be prepared to achieve our 5 mission areas: prevent, protect, mitigate, respond, recover from terror attack.

I am forwarding your concerns to our Joint Terrorism Task Force and the Southern Nevada Counter Terrorism Center for further investigation. If you have knowledge of ***specific planned targets, modes of attack, or dates and times of planned attack***, please file a SAR (Suspicious Activity Report) as soon as possible with our [Counter Terrorism Center](#). This report may be sent anonymously if so desired."

I hope this is satisfactory for your use. Please let me know if he persists with non-specific information about how much danger we are in. Thank you!

Carolyn M. Levering, MEd, CEM  
Emergency Manager  
City of Las Vegas  
"Building Community to Make Life Better"  
Office - (702) 229-0770  
[clevering@lasvegasnevada.gov](mailto:clevering@lasvegasnevada.gov)  
[www.LVAlert.com](http://www.LVAlert.com)

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**From:** Carolyn G. Goodman  
**Sent:** Monday, April 11, 2016 12:32 PM  
**To:** Carolyn Levering  
**Cc:** Lora Kalkman

CLV000567



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**Subject:** FW: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Are you aware of this individual and any suggested response.



**CAROLYN G. GOODMAN, MAYOR**

Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

*City Hall is closed on Fridays*

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**From:** [act@preactdontreact.com](mailto:act@preactdontreact.com) [<mailto:act@preactdontreact.com>]

**Sent:** Friday, April 08, 2016 3:15 PM

**To:** Carolyn G. Goodman

**Subject:** PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

The Honorable Mayor Carolyn Goodman:

I am contacting you concerning the information on terrorism below. Due to 2 incidents in Las Vegas and my familiarity with terrorism, I sent the email below to a Las Vegas commander, and have since contacted other commanders, corporate, and a Las Vegas politician with my concerns. Unfortunately, the response was as inadequate as the response the FBI agents, civilians, and well known individuals experienced when warning top DC officials about 9/11. This is why I and others are so reluctant to contact authorities concerning the issue, and specifically why I hesitated to contact the Las Vegas commander with my original warning (due to what I witnessed in Las Vegas). If it were not for the fact so many EU, Australian, Chinese, and Indian friends/kids that I know visit Las Vegas I would just ignore the situation and let it happen and then say I told you so to the media. (I am also covering myself by having proof that I did warn every authority responsible for public safety in Las Vegas, the US, and abroad.) I assure the situation is far worse than you know, and I would not underestimate it or the ruthlessness of the enemy. They have already picked out their targets and made their decision to carry out their missions no matter what. They will have to be physically stopped by and aggressive and competent campaign led by competent and aggressive law enforcement/intelligence officers.

Due to the seriousness of the situation, my ties to the EU, Australia, and other countries, I have warned Ministers that I have had previous contact with and others this week concerning issuing a travel warning to their citizens. I have not mentioned the city of concern, however as of next week I may have to. I do not want to get involved in the situation at all, I like 3 other top terrorist experts are fed up with the incompetence and politicizing of terrorism that has led to the disastrous attacks from 9/11, Paris, San Bernardino, and now Brussels. (The experts are former Clinton & Bush terrorism expert Richard Clark, former CIA agent/CNN consultant Bob Baer, and former Bin Laden desk Chief Michael Scheuer.) We have all reached this point due our being completely correct in our forecasts and strategies for addressing terrorist threats, and the individuals and entities that were listened to being dead wrong each and every time. An audit of my record on forecasting terrorist trends and events to be irrefutably accurate, and an audit of the "experts" to be irrefutably inaccurate.

The individuals that are sought after to address terrorism in the US by the government and media are not actually experts—are you aware of that? If you are counting on US or local counter terrorism officials to save Las Vegas—I would stock up on body bags, you're going to need them.

Those responsible for anti-terrorism measures in Las Vegas and the US as a whole have no idea what they are up against, nor do they have a clue as to how to negate the threat—hence why ISIS/Al Qaeda continue to beat them to the punch.

CLV000568

### **EXAMPLES:**

-The only people that did not know that Ms. Prouty a terrorist mole were the Directors of the FBI and CIA (literally) that fought over her and gave her the highest awards the agencies has [https://www.justice.gov/archive/opa/pr/2007/November/07\\_nsd\\_910.html](https://www.justice.gov/archive/opa/pr/2007/November/07_nsd_910.html) <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>. There are a lot more Nada Prouty's in the US committing the same act. Ms. Prouty proves a Middle Easterner cannot be vetted, there are many just like her in the US that have US passports, driver's licenses, and they are in no way who the government thinks they are right down to the names on those documents.

-This terrorist pioneer lived 2 miles down the road from me [http://articles.chicagotribune.com/1985-06-19/news/8502090070\\_1\\_lebanon-david-berry-nabih-berri](http://articles.chicagotribune.com/1985-06-19/news/8502090070_1_lebanon-david-berry-nabih-berri)

I grew up here and know or have met all of the people connected to this issue and I assure you the situation is far worse than is suspected by authorities. I have met and talked to many of the individuals responsible for stopping these terrorists, and trust me-the terrorists are far ahead of the opposition.

[http://www.mlive.com/news/detroit/index.ssf/2014/08/report\\_more\\_residents\\_in\\_dearb.html](http://www.mlive.com/news/detroit/index.ssf/2014/08/report_more_residents_in_dearb.html)

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=plane+terrorism+dearborn+>

### **LAS VEGAS CONNECTION**

<http://www.wxyz.com/news/local-news/investigations/happys-pizza-headquarters-raided-by-irs-criminal-division-dea> ( Las Vegas has a franchise and a lot more connections to Detroit/Dearborn than you likely are aware of. It is a case of this <https://www.youtube.com/watch?v=JcZHSGyos6g>)

I have talked with the founders of this business several times and this case was strictly about terrorist funding as in this case [http://www.mlive.com/lansing-news/index.ssf/2011/12/report\\_several\\_southeast\\_michi.html](http://www.mlive.com/lansing-news/index.ssf/2011/12/report_several_southeast_michi.html).


In closing, my original warning should have been ran to ground, the fact that it wasn't is proof of just how off and far behind Las Vegas is in addressing Paris and Brussels style attacks (this week every Minister from every foreign country I contacted responded with a phone call or/and email seeking further information because they now "*get it*") To be direct, authorities in Las Vegas and the US have their heads in the sands regarding the issue of terrorism and must change their strategy and tactics while they still have a chance to do so. With Las Vegas having the worst inherent terrorist vulnerabilities of any major city, Las Vegas should be much more precise and aggressive in avoiding such an attack (which is possible). An attack in the manner that I have forecast would dwarf the Paris body count by a minimum of X5, however it will be worse. The intelligence, physical security, and counter measures of Las Vegas are an invitation for an attack, and the terrorist know all of the cities vulnerabilities as well as I do.

No casino pit boss, dealer, etc. could have the record of the anti-terrorism leadership and still be employed in Las Vegas, it is the equivalent to them "*losing*" track of a million dollars every day for a year and the casino owners and Gaming Control Board accepting any explanation he came up with as legitimate. This would never happen. The see something say something just does not work as Brussels, Paris, and San Bernardino prove with the number of people that knew and didn't talk for various reasons. The #1 reason is that people simply have no confidence in authorities taking proper action. Examine my experience with the issue, each time I am putting my life and business life in danger by even contacting authorities in Las Vegas, and not once has anyone so much as responded or asked me how and why I reached the conclusions I have reached. This is a mirror of the warning by James Woods cited below regarding 9/11-it all could have and should have been ended right then and there. The mindset of law enforcement/political leadership on the municipal level must change, at the end of the day the battle and ramifications are like all politics-local.

CLV000569

As you know the odds always catch up, and luck runs out. Vegas' luck is about to run out in the worst of ways. If you would like the scenario I war gamed, I will forward it upon your request.

Thank you and good luck-

Sincerely,  
Jerome Almon  


**EMAIL TO LV COMMANDER**

----- Original Message -----

Subject: INFORMATION ON SAFETY ISSUES-LAS VEGAS

From: <[info@thecountermedia.com](mailto:info@thecountermedia.com)>

Date: Sat, May 17, 2014 1:02 pm

To: [ted@tedmoody.com](mailto:ted@tedmoody.com)

Sheriff Moody:

Thank you for your response and time regarding the issues below:

**1)THE TERRORISM ISSUE:**

As you are certainly aware of, Al Qaeda has Las Vegas as one of its top 5 main targets, specifically the Strip. I am certain that the area has been scouted and targets selected based on my experience in the area and my observations of individuals and groups while in Las Vegas. They will hit what is most familiar with them, and Las Vegas is very familiar to them. (For example the mastermind behind 911 graduated from the University of North Carolina <http://edition.cnn.com/2002/US/South/12/19/al.qaeda.aggie/> .

**ACTIONS THAT WILL BE TAKEN BY TERRORIST:**

A) <http://newyork.cbslocal.com/2014/03/19/al-qaeda-magazine-calls-for-car-bombings-in-u-s-new-york>

B) <http://www.cnn.com/2013/09/18/world/asia/mumbai-terror-attacks/>

**RECOMMENDED COUNTER MEASURES:**

A) Special response teams will not get to the site in time, and must be in place PRIOR to any incident in the immediate area.

B) *CONTAIN AND KILL*-officers must be prepared to neutralize the terrorist at the point of attack, i.e. the attacker cannot be allowed out of the building, off the block, or off the side of the street where they attacked (Las Vegas Blvd is a perfect kill zone for a terrorist due to its geography, such as the inability to cross the Strip in certain areas combined with the natural traffic volume.) Point blank, these are the same individuals and groups that Delta Force, Navy SEALs, Army Rangers, Airforce Commandos, and Marine RECON/special forces faced on the battlefields of Iraq and Afghanistan-they are not to be underestimated. (Essentially they are Islamic special forces.) They are going to attack sooner than later.

C) Las Vegas should have its own anti-terrorism unit on the level of the NYPD's anti-terrorism unit, NYC learned its lesson the hard way 911-YOU CANNOT DEPEND ON THE FEDERAL GOVERNMENT TO PROTECT YOUR CITY. As you will

CLV000570

see in the information from the Canadian CIA (CSIS) and the response to that information from both that unit and myself, the federal authorities are grossly out of touch with reality regarding terrorism.

– <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>

– <http://www.nydailynews.com/news/world/fbi-appalled-cia-veterans-defense-agent-nada-nadim-prouty-lies-article-1.258534>

– <http://pamelageller.com/2007/12/hezbo-mole-crack.html/>

I assure you this is not close to the worst.

I am well versed in this area as you will see due to my studies/duties as a university guest lecturer, and personal experiences however most of my experience is first hand. I left college and joined the US Army, several individuals that I attended college with left college and joined our enemy and did fight against the US in numerous war zones around the world. These individuals are supported by groups in America, and know the country as well as you and I do.

#### **TSA NOT TO BE DEPENDED ON**

[http://www.huffingtonpost.com/2013/12/23/airport-security\\_n\\_4494308.html](http://www.huffingtonpost.com/2013/12/23/airport-security_n_4494308.html)

<http://www.cbsnews.com/news/u-s-border-patrol-has-a-sex-abuse-problem-says-whistleblower/>

(Morale within the agency is as low as its competence–my letter warning of issue.)

**30 MARCH 2009**

Secretary Janet Napolitano  
Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

Secretary Napolitano–

I am writing you concerning a pervasive and unacceptable sanctioned policy within the Department of Homeland Security of the sexual harassment of female traveler's entering the United States. I have been informed by numerous female travelers coming to visit me in the United States from Norway, Germany, and especially Canada that they are routinely harassed by male DHS inspectors. I find the allegations completely credible due to the carbon copy stories from the females, and the profile of the females– all attractive teen or near teen girls traveling alone. The harassment is so overt that it is impossible that supervisors are not aware of it, do not witness it, and in fact sanction it.

I have a substantial amount of both academic and field study experience in this area, and have personally witnessed the practice by DHS employees myself. This should be addressed in the open without hesitation. It is insulting to the female travelers, and also opens up US females to the retaliatory actions by the security personnel of other countries– which I assure has happened. Certainly with all the alleged dangers facing Americans and the gaping holes in border security at the various ports of entry, DHS does not have the luxury expending valuable energy and tax payers money on sexually harassing female travelers.

CLV000571

I thank you for your time and consideration and will await your reply.

Sincerely,

Jerome Almon

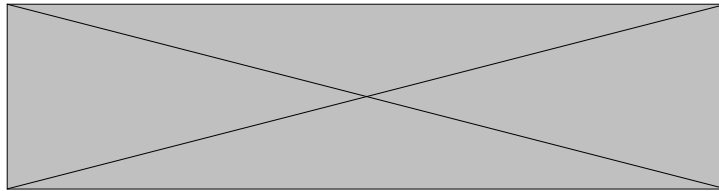
----- Original Message -----

Subject: Re: DHS RAPE/MURDERS-SCHOOL SHOOTINGS

From: "Senator Debbie Stabenow" <[senator@stabenow.senate.gov](mailto:senator@stabenow.senate.gov)>

Date: Wed, December 23, 2015 11:48 am

To: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>



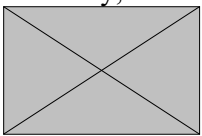
Dear Jerome,

Thank you for contacting me about the reports of sexual misconduct and abuse by U.S. Customs and Border Protection agents. I appreciate that you have taken the time to communicate your views and concerns with me.

I share your concern about this issue. Should related legislation come before the U.S. Senate for a vote, I will keep your views in mind, and share your thoughts on this issue with my colleagues who serve on the Senate Homeland Security and Governmental Affairs Committee.

Thank you again for contacting me. Please continue to keep me informed about issues of concern to you and your family.

Sincerely,



Debbie Stabenow  
United States Senator

U.S. Senator Debbie Stabenow  
The United States Senate • Washington, DC 20510  
[stabenow.senate.gov](http://stabenow.senate.gov)

**POLICE NOT EQUIPPED FOR TERROR ATTACK IN NYC-OR ANYWHERE ELSE**

<http://observer.com/2015/11/sergeants-union-boss-nypd-patrol-cops-not-ready-for-paris-style-terror-attack/>

**9/11 WARNINGS IGNORED BY AUTHORITIES**

<http://www.wnd.com/2006/03/35348/>

CLV000572

<http://www.newsweek.com/saudi-arabia-911-cia-344693>

<http://truth-out.org/archive/component/k2/item/61531:fbi-agent-says-he-warned-of-911-hijackings>

[http://www.democracynow.org/2004/4/9/two\\_fbi\\_whistleblowers\\_accuse\\_bureau\\_of](http://www.democracynow.org/2004/4/9/two_fbi_whistleblowers_accuse_bureau_of)

<http://www.cbsnews.com/news/fbi-was-warned-about-flight-schools/>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=fbi%20agent%20warning%20911>

**WHAT IS NOW DHS AND NYC WERE WARNED AT THE SAME TIME OF THE THREAT AND ONLY ACTED AFTER MY FORECAST CAME TRUE**

----- Forwarded Message -----

**From:** "WEB.COMMENTS@customs.treas.gov" <[WEB.COMMENTS@customs.treas.gov](mailto:WEB.COMMENTS@customs.treas.gov)>  
**To:** [REDACTED]  
**Sent:** Thursday, September 20, 2001 9:40 AM  
**Subject:** Detroit/Windsor security/GYR

Thanks for your message. I am forwarding it onto the Security Team for investigation.

Customs/GYR

[REDACTED] Jerome Almon)  
09/14/01 03:54 PM

To: [web.comments@customs.treas.gov](mailto:web.comments@customs.treas.gov), [technical@customs.treas.gov](mailto:technical@customs.treas.gov)  
cc:  
Subject: U.S. Customs Website Comment.

Below is the result of your feedback form. It was submitted by  
Jerome Almo [REDACTED] [\[REDACTED\].com](mailto:[REDACTED].com)) on Friday, September 14, 2001 at 15:54:31

-----  
email [REDACTED] [\[REDACTED\].com](mailto:[REDACTED].com)

subject-of-this-message: Detroit/Windsor Security

website\_comments: I have had previous contacts with your office issues (specifically Bonnie Tischler). I feel it is necessary to reintroduce this information ( I will send a copy of this information to US Senator Carl Levin.) I have made complaints against certain procedures and individuals at the Detroit/Windsor border crossing. I also corresponded with the Canadian Minister for Immigration (Elinor Caplan) concerning the fact that even the supervisors at the Canadian border do not understand much of the information they need to concerning legitimate vs. false documentation. (I unfortunately am able to prove this point.) Meaning if say a person was on a wanted list -the Canadians often ask the person to interpret the information. Finally the Detroit/Windsor tunnel. It is a disaster waiting to happen. Since the US checks cars AFTER they have entered the tunnel (as does Canada) -doesn't that defeat the objective of stopping a terrorist act in the tunnel? The check should happen before the tunnel is entered, and after-or the tunnel should be closed.

-----  
REMOTE\_ADDR: 24.131.62.95

CLV000573

I originally warned a agent at a federal law enforcement entity of the threat on 9/11 and although he agreed I was correct, he took no action, stating he didn't exactly know what to do regarding the information, and that he was quite frankly stunned at the danger. Only when an individual drove through the tunnel with what appeared to be a bomb on his front seat did the politicians take the matter up, as you will see with NYC. The tunnel is in a far worse position than it was on 9/11 due to Detroit's economic collapse, the influx of more Middle Easterners into Canada, and this <http://www.reuters.com/article/us-detroit-tunnel-bankruptcy-idUSBRE9600RT20130725>.

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Tighter security at border hits snag

Legal issues may block U.S., Canada checks before crossing

By Lisa Zagaroli / Detroit News Washington Bureau

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WASHINGTON -- Checking travelers between the United States and Canada after they've crossed the border -- which some liken to checking airline passengers after they land -- is being scrutinized by officials concerned that bridges and tunnels could be vulnerable to attack. Lawmakers are pressuring the U.S. Customs Service and Canadian officials to come up with a decision this week on whether the countries can swap inspection locations.

An alternative to paying a toll, crossing the bridge or tunnel, and then being scrutinized by Customs officials once inside the other country's territory is to do inspections before crossing.

Although the reverse inspection system is the only solution being lobbied to enhance infrastructure safety, the two nations haven't agreed on how to settle legal obstacles. An old idea revived by the Sept. 11 terrorist attacks, a revised system would involve numerous agencies in both countries in the decision.

"This reverse clearance proposal has a number of sovereignty and structure issues attached to it," said Michel Proulx, spokesman for the Canada Customs and Revenue Agency in Ottawa.

"There are a lot of players involved in all of this. It's difficult to get a sound, concrete answer. No one department or agency would be able to say yes or no."

There's little to stop someone who wanted to damage the Ambassador Bridge, Detroit-Windsor Tunnel, or even Detroit Metropolitan Airport, if the crime is done before the perpetrator even gets to an inspection point, critics say.

Besides the human safety concern, destroying any one of the border-crossing points would do serious harm to the auto industry, one of the United States' economic engines, and many other businesses that rely on just-in-time delivery of material. Michigan had \$70 billion in

trade with Canada in 2000.

**"Every time I drive through that tunnel, I expect something to happen," said Jerome Almon, a Detroit resident who drives to and from Toronto at least twice a month.**

**"Osama bin Laden says the economy is what they want to attack, and you cannot find a more decimating effect than that bridge or tunnel on our economy. You will kill Detroit, it's over, goodbye. But think of the effect on the rest of America."**

Firearms an issue

Aside from jurisdiction, the question of whether U.S. Customs agents should carry firearms in Canada is of particular concern to Canadians. Canada is known for being much less tolerant of guns than the United States.

"Our Customs officers are not armed and at this point in time we still feel there is no reason for them to be," Proulx said.

"We have a study going on right now to determine whether the tools they have are adequate to do their jobs safely and with full security. The U.S. (agents) are (armed) and definitely that would be one of the snags in the issue."

The preclearance concept does have precedent. U.S. Customs agents inspect U.S.-bound passengers at six Canadian airports so they don't have to be routed through Customs once they arrive like travelers on flights from every other country, said former Michigan Gov. James Blanchard.

He spearheaded the "open skies" agreement when he was U.S. ambassador to Canada.

The real stumbling block to doing this at bridges and tunnels will be working out how much authority each side is given to enforce the other country's laws, he said.

"You could always prevent (a suspicious passenger) from getting on the plane," Blanchard said. "The question is who arrests them, can they say 'I choose not to fly' then go home, or do we hold them?"

Sen. Carl Levin, D-Detroit, said he thinks all of the issues can be worked out.

"The only impediment here is bureaucratic impediment," he said. "Even though there's supposed to be an urgency after Sept. 11, there seems to be some unnecessary foot-dragging."

Levin and Sen. Debbie Stabenow, D-Lansing, sent a letter to Customs Commissioner Robert Bonner on Jan. 4, insisting on a progress report by Friday.

"It is obvious that inspecting vehicles for dangerous contents such as bombs or explosives after they enter our tunnels or cross our bridges is inadequate," they wrote.

Customs spokesman Jim Michie said he wasn't sure when a decision would be made on reverse inspections, but that it was being closely studied.

Tighter local security

Local authorities say they've taken the steps they can to bolster security.



Travelers who use the Detroit-Windsor Tunnel are no longer allowed through unless operators are certain they can make to the other side without backups, said Gordon Jarvis, president of the Detroit & Canada Tunnel Corp.

"If there is an incident and you need to get out, there is space for you to do so, and there are fewer cars in the tunnel at any one time," Jarvis said. "It also makes it much easier for us to identify when there are incidents in the tunnel."

Jarvis said reverse inspections are a viable option at the tunnel, despite the smaller queue area, compared to other crossing points like the Ambassador Bridge.

The owners of the Ambassador Bridge have installed new lighting, fencing and surveillance cameras, as well as armed security 24 hours a day, said Dan Stamper, president of the Detroit International Bridge Co. Stamper said the bridge company is paying for the extra security.

"We're not sure whose responsibility it is for the cost of security, but we are not in the position to say it's not going to be done," he said.

The bridge authority has completed plans showing that logistically, preclearance can be implemented on an interim basis within 90 days, Stamper said. In doing so, there would be the added bonus of huge efficiencies in traffic flow.

"The current six lanes that cross the border, two at the tunnel and four at the bridge, become traffic lanes and not parking lots," Stamper said. "It increases the capacity of both the tunnel and the bridge, a lot more than anything else we can do today."

#### Blue Water Bridge study

Bruce Campbell, the engineer manager of the Blue Water Bridge, said the proposal is being examined as part of a long-term security review of the span connecting Port Huron with Sarnia, Ontario.

With the Ambassador Bridge being the busiest U.S.-Canada entry point, carrying 12 million vehicles a year, the economic implications for the region are enormous.

"One 18-wheeler goes across that bridge every eight seconds," said Carmine Palombo, director of transportation planning at the Southeast Michigan Council of Governments.

The implications for the bridge and tunnel operators are significant as well.

"They're all looking at an out-of-pocket expense they hadn't anticipated," said Neil Gray, director of government affairs at the International Bridge, Tunnel and Turnpike Association, which represents toll agencies.

"Nobody wants to do a toll increase to reflect this, in fact I'm not sure anyone has proposed one, but it's an issue we are all having to think about."

Protecting airports is a concern as well, though most of the attention has been on protecting aircraft against air piracy, Capt. Duane E. Woerth, president of the Air Line Pilots Association, told senators late last year.

Noting that airports in Rome and Vienna have been hit, Woerth said he's worried terrorists could attack ticket counters, check-in facilities and lines of passengers waiting outside.

Airlines, bridges and tunnels are experiencing lower traffic flow because of leisure travelers concerned about terrorist risks.

**Almon, the Detroit resident who travels to Toronto on business, said he's a former combat engineer with the Army and he's concerned about how easily a carload of explosives put together with store-bought material could take out the bridge or tunnel.**

**"At the mouth of the Detroit tunnel sits General Motors headquarters, a terrorist would get two for one with that," Almon said.**

<http://www.dailymail.co.uk/news/article-1334404/US-subway-tunnels-terror-proof-600m-ring-steel.html>  
<http://nypost.com/2010/11/30/path-tunnels-get-600m-ring-of-steel/>

<http://www.cbc.ca/news/canada/windsor/story/2012/07/12/wdr-windsor-detroit-tunnel-closed.html>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=bomb%20in%20detroit%20windsor%20tunnel>

Ahmed Ressam, the Millennium bomber had the Detroit-Windsor tunnel, GM HQ, and the Ambassador Bridge as his secondary targets if he could not reach LAX. Had he chosen either, he would have been 100% successful and 9/11 would not be close to America's worst terrorist attack. <https://www.fbi.gov/about-us/history/famous-cases/millennium-plot-ahmed-ressam>

**THIS EMAIL WAS THE RESULT OF ONE OF NUMEROUS SECURITY WARNINGS I SENT TO THE CANADIANS COMING TRUE AND THE US SECURITY AND POLITICAL AUTHORITIES NOT UNDERSTANDING THE IMMINENT DANGER**

From: Minister of Transport, Infrastructure and Communities / Ministre des Transports, de l'infrastructure et des Collectivités <[MINTC@tc.gc.ca](mailto:MINTC@tc.gc.ca)>

Date: Thu, Oct 13, 2011 at 1:24 PM

Subject: Proposed construction of a new bridge

To: "[REDACTED]"

Cc: "[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)" <[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)>

Dear Mr. Almon:

Thank you for your correspondence of July 18, 2011, regarding the proposed construction of a new bridge between Detroit and Windsor. Please accept my apologies for the delay in replying.

Again, thank you for writing and for providing me with your comments.

Yours sincerely,

CLV000577

Denis Lebel, P.C., M.P.

c.c. Office of the Right Honourable Stephen Harper, P.C., M.P.  
Prime Minister

The issue with the Ambassador Bridge is equally troubled, the owner has successfully blocked a new bridge being built. The issue too closely resembles the Dubai Ports issue [https://en.wikipedia.org/wiki/Manuel\\_Moroun](https://en.wikipedia.org/wiki/Manuel_Moroun). Ottawa wrote me 90 days after my warning to CYA and because again what I warned them about occurred.

The largest portion of the trade comes through the tunnel and bridge mentioned <https://www.commerce.gov/news/blog/2014/01/secretary-pritzker-highlights-strong-economic-partnership-between-usa-and-canada>

**PARIS-SAN BERNARDINO-BRUSSELS**

----- Original Message -----

Subject: RE: JEROME FROM WAYNE STATE UNIVERSITY

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Wed, October 21, 2015 11:44 am

To: "Mitja\_Žagar" <[mitja.zagar@guest.arnes.si](mailto:mitja.zagar@guest.arnes.si)>

Dr. Zagar-

Good to hear from you. I am sorry I just got to my email messages, I am working on several other huge projects that all come back to the migrant issue. I will have to hook up Skype, I don't know how it works to be honest.

The situation in the States is pretty dire. We are essentially at civil war with the country collapsing socially. All of the work that you and Dr. Feinstein did and your forecasts turned out to be 100% accurate. Simply put, America bet on the wrong people with the wrong plans and now we are getting our comeuppance.

I am against the re-settling of immigrants in the US or Europe, it will most certainly lead to more conflict in both areas and the Middle East. The only hope is establishing a safe zone in Syria and Iraq, which is as close to impossible as it gets considering the collapse of the basic structures and the radicalization of the factions. Electing George Bush was the worse event that has happened to the world since WWII. I will get on Skype and send you another email asap. I am moving to Berlin to work on a large social media project in the next 30-60 days. In the meantime I am sending these articles for your review concern my thoughts on the migrant issue. Would you be able to attend a conference on the issue of the migrants and school shooter issues in Europe or the US with all expenses and a fee paid to you?

CLV000578

The other issue I am extremely concerned about is a threat that would end Detroit, cost America 2 million jobs in a week, and plunge the stock market to below 2008 and 911 levels. The Iran deal was done in part due to Iran has 40,000 agents in or at America's borders prepared to attack if Iran's nuclear facilities were attacked. That is the good news, the bad news is the Sunnis have 3X that many agents in the US and are preparing for their "Islamic Tet offensive." With Russia, out of necessity intervening in the Syrian/Iraq war and the US govt. giving behind the scenes approval for the Russian-Iranian-Alawite axis which will inevitably bring in Israel and the US the Sunnis will go after the US and Canadians on their own soil in a much more aggressive and massive way. My assessment is that the Chinese will be drawn into the war due the unrest with the Xinjiang Province and the Uighars. The Islamic State (IS) has spread throughout Central Asia and will take Afghanistan and defeat the Taliban in the end unless there is a "mass war event." It is my contention that Putin has decided to that. He cannot lose the Syrian-Iraq War, he cannot allow the IS to continue to grow in the Central Asian Republics, and Afghanistan, and he is not giving up Crimea, and does not have the military resources nor money to fight a prolonged war. I believe Putin is planning to use a tactical/battle field nuclear weapon (NATO appears to be thinking that way on the Ukraine which is insane). Most of the intelligence guys that I respect believe that is the only way to stop the IS/Sunnis or to completely withdraw from the Middle East. What is your opinion?

Thanks-

Jerome

(My numbers on the size of the networks mentioned are accurate I assure you. 2 other respected security/intelligence officers that have a proven track record of accuracy, agree with me. The messages I sent to US authorities were more detailed and were sent in the Spring of 2014, and the Spring and Summer of 2015.)

#### **DR. ZAGAR BIO**

#### **CV**

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=mitja%20zagar%20cv>

#### **INTERVIEW**

[http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h\\_b\\_7620756.html](http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h_b_7620756.html)

#### **PUTIN STATEMENT ON NUCLEAR WEAPONS**

<http://www.express.co.uk/news/world/625465/Islamic-State-Russia-Vladimir-Putin-threatens-bomb-ISIS-nuclear-weapons>

CLV000579

## **WARNING TO AIRLINE INDUSTRY THAT FORESAW BRUSSELS ATTACK**

----- Original Message -----

Subject: THE THREAT OF TERRORISM TO THE TRAVEL INDUSTRY AND CORRECTIONS  
THAT MUST BE MADE

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Sun, November 29, 2015 7:59 pm

To: [president@apfa.org](mailto:president@apfa.org), [Nancy.Rivard@airlineamb.org](mailto:Nancy.Rivard@airlineamb.org),  
[public-comment@alliedpilots.org](mailto:public-comment@alliedpilots.org), [PMclsaac@americanpilots.org](mailto:PMclsaac@americanpilots.org),  
[comm.chair@alliedpilots.org](mailto:comm.chair@alliedpilots.org)

Cc: [communications@apfa.org](mailto:communications@apfa.org)

Sir or Madam: I am forwarding the following information sent to first responders, due to its application to your industry. To be direct, I have warned your union several times since 9/11 of these very threats, and the actions of the leadership has not matched the threat. Unfortunately, this is the same conduct of law enforcement and political leadership regarding what is now a catastrophic situation. That is, the industry will suffer huge losses in both personnel and revenue due to the lack of taking prudent steps to pre-act rather than react to obvious threats. The only hope in negating or minimizing the threat is for the travel, hotel, and tourism industries along with the pilot and flight attendant unions (and their allies) to join forces and seek to have necessary security and industry support measures put in place without political consideration. The needed measures must be completely based on the real world security and economic threat that exists, and is getting worse by the minute. The losses France and Belgium are suffering are just the beginning, and minor in compared to an Egypt Air or Russian Sharm El Sheikh incident in North America or Europe. I assure you, the threat is far worse than is known even to most of the law enforcement community.

Sincerely,

Jerome Almon

### **ECONOMIC IMPACT**

<http://www.dailymail.co.uk/news/article-3338173/Terror-attacks-Paris-means-visitor-numbers-Europe-tumble-France-lost-1-4bn-tourism-revenue.html>

<http://www.dailymail.co.uk/news/article-3338512/EU-leaders-agree-Turkey-2-1-billion-help-tackle-migrant-crisis-tighten-security-borders.html>

### **UNADDRESSED THREATS TO YOUR INDUSTRY**

CLV000580

–Foreign pilots compromised by ISIS or Al Qaeda committing an act similar to the pilot of Egypt Air 990 at an airport, city, or against another passenger airliner –An attack on airports using car/truck bombs and suicide bombers/shooters against shuttle buses and the non-secure areas of the airport such as ticketing –Compromised airport personnel (this is worse than is indicated here)

<http://www.nydailynews.com/news/world/isis-terrorist-minneapolis-worked-major-american-airport-report-article-1.1925924>

<http://www.express.co.uk/news/world/622702/easyJet-Paris-attacks-France>

<https://www.rt.com/news/323811-paris-airports-fired-radicalization/>

### **TRUE STATE OF THE TERRORIST THREAT IN AMERICA**

From Canada's CIA (CSIS):

*"Many Canadians may be surprised to learn that, with the exception of the United States, there are more terrorist groups active in Canada today than in any other country in the world."*

### **VERIFICATION**

<http://www.torontosun.com/2013/01/23/algerian-terrorists-had-canadian-ties-eh>

The information was removed from the website in late 2013 due to White House protests, the largest number of these terrorist are at the South end and North end of the tunnel and bridge cited below.

### **THESE REPORTS ARE FICTION**

<http://www.cnn.com/2015/12/01/politics/isis-in-united-states-research/>

<http://www.foxnews.com/world/2016/03/23/is-trains-400-fighters-to-attack-europe-in-wave-bloodshed.html>

There are more than 400 ISIS operatives and 300 recruiters in my neighborhood. As with the deliberate ignoring of the 9/11 warnings, these non-scientific reports will result in the deaths of untold numbers of civilians.

### **ISIS INTELLIGENCE FRAUD**

<http://www.cnn.com/2015/12/01/politics/michael-flynn-obama-isis/>

<http://www.thedailybeast.com/articles/2016/04/03/intel-analysts-we-were-punished-for-telling-the-truth-about-obama-s-isis-war.html>

[http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?\\_r=0](http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?_r=0)

This failure to provide and act on the factual information regarding ISIS has led to every death of Westerners from 2012 forward– at least including Paris and Brussels. It also has American cities in the disastrous position they are in.

#### **BND WARNING TO GERMAN CHANCELLOR ANGELA MERKEL**

<http://www.dailymail.co.uk/news/article-3290092/Germany-s-secret-service-warns-country-importing-Islamic-extremism-anti-Semitism-people-s-ethnic-conflicts-different-understanding-society.html>

#### **NEW YEARS EVE RAPES/RAPES ACROSS EUROPE FROM REFUGEES**

<http://www.dailymail.co.uk/news/article-3388422/Huge-influx-migrant-men-lead-sex-attacks-like-Cologne-says-analyst-police-reveal-gangs-blocked-reaching-women-screamed-help.html>

#### **REFUGEE SUPPORTER AND MAYOR OF COLOGNE VICTIM AND HYPOCRITE**

#### **COLOGNE MAYOR FIRES POLICE CHIEF OVER NEW YEARS EVE RAPES**

<http://www.thelocal.de/20160108/po>

#### **COLOGNE MAYOR STABBED FOR SUPPORTING REFUGEES**

<http://www.thelocal.de/20151017/german-mayoral-candidate-stabbed-in-cologne>

#### **ATTACKS ON REFUGEES IN GERMANY REACHES MORE THAN 1,000**

<http://www.dw.com/en/report-five-times-more-attacks-on-refugee-homes-in-germany-in-2015/a-19011109>

#### **EU/AUSTRALIAN ISSUE**

<http://www.dailymail.co.uk/news/article-3291416/Google-defamed-Australian-woman-auto-complete.html>

<https://www.google.com/#filter=0&q=American,%20Australian,%20And%20European%20Group%20Calls%20For%20Shut%20Down%20Of%20Ripoff%20Report>

**WE ARE NOW AT THE CENTER OF THIS CASE IN THE EU**

<http://www.wsj.com/articles/eu-to-pursue-google-parent-alphabet-on-multiple-fronts-vestager-says-1445817842>

**RIPOFF REPORT IS THE BUSINESS AND ROLE MODEL FOR THESE CRIMINALS**

<http://www.nbcnews.com/news/crime-courts/revenge-porn-kingpin-hunter-moore-pleads-guilty-faces-jail-n313061>

<http://www.nbcsandiego.com/news/local/Kevin-Bollaert-Revenge-Porn-Sentencing-San-Diego-298603981.html>

[http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article\\_cce5e80f-786a-5f66-8763-3ecb30cadb71.html](http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article_cce5e80f-786a-5f66-8763-3ecb30cadb71.html)

On Fri, 10/20/06, [bayly@.de](mailto:bayly@.de) <[bayly@.de](mailto:bayly@.de)> wrote:

From: [bayly@.de](mailto:bayly@.de) <[bayly@w.de](mailto:bayly@w.de)>

Subject: FW: jerome almon

To: [REDACTED]

Date: Friday, October 20, 2006, 3:42 PM

hey jerome... how ru doing? well, received the following e-mail today.... tell me if i should give him the contacts he wants or if u wanna do it urself... my mom is here for 4 days.. been to jazz concert yesterday and will go to branford marsalis concert 2morrow... its jazz too.... and right now just got back from the adidas store... man i am addicted ;) cant go there without buying smth... even when i am broke just like right now... well, hope to hear from u...

(I refused to do the documentary below for the same reasons certain entities need to police themselves better.)

Von: "scott corben"

Gesendet: 20.10.06 12:41:27

An: [bayly@.de](mailto:bayly@.de)

Betreff: jerome almon

Hi Katja,

I got your contact details from Marie at Freemuse in Denmark. My name is Scott Corben and I am a producer with Al Jazeera Television in London.

CLV000583



I am researching a piece on soldier in the United States and  
I am really keen to speak to a guy called Jerome Almon. I believe he is based in Detroit. Maries tells  
me that you may have some way of contacting him. If you have an up to date email or phone  
number I'd really appreciate it.

Look forward to hearing from you

best regards,

Scott

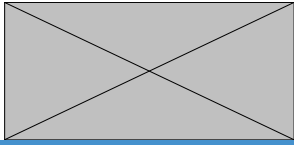
Producer/Director "Top Secret"  
Al-Jazeera Satellite Channel Ltd  
7th Floor Westminster Tower  
3 Albert Embankment London SE1 7SL  
Switchboard: [+44 \(0\) 207 820 4820](tel:+442078204820)  
Fax: [++44 \(0\) 207 820](tel:+44207820)

## **BIO**

–I am a university lecturer/expert on domestic violence, international politics, terrorism, and urban crime. I worked under global experts Dr.'s Mitja Zagar (Slovenia and co-author of their Constitution/Syrian refugee & security expert/Top EU negotiator), Otto Feinstein head of the Urban Agenda and author of Ethno-Development, Richard Mansbach-CIA consultant, and worked on the UN project at the University of Toronto the Delphi Project out of Belgium. Recommendation on a security issue led to DHS changing its border policy and NYC spending \$600 million to correct a catastrophic security flaw. I have been the target of an Al Jazeera documentary due to my correct predictions as well as featured on the front page of the most visited Jihadist website on Earth for a decade.

–1 year tour in the first Iraq War, am a paratrooper, combat engineer (explosives expert, featured on A&E for saving my unit's mission during combat, and awarded directly from the Pentagon for saving my task force's mission), was drafted as a translator during the war and POW camp designer, taught my brigade basic Arabic language, numerals, and history.

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 6/14/2018 8:23:07 AM  
**Subject:** No Action In Wedding Florist Case After Masterpiece Ruling



**PUBLIC POLICY.**

## Introducing Law360 Tax Authority

A new way for tax specialists to get the news, insight, and updates they need to stay ahead of the curve.

Thursday, June 14, 2018

### TOP NEWS

#### Analysis

#### **No Action In Wedding Florist Case After Masterpiece Ruling**

The U.S. Supreme Court has refused to take any action in a pending case involving a Washington florist who refused to provide arrangements for a same-sex wedding that presents largely the same constitutional questions surrounding the First Amendment and LGBT rights that the court shied away from in its recent Masterpiece Cakeshop ruling. [Read more »](#)

#### Analysis

#### **Mulvaney Ends PHH Saga But Legal Questions Linger**

The Consumer Financial Protection Bureau's move last week to end its administrative proceedings against mortgage services provider PHH Corp. turns the page on one of the more controversial episodes in the agency's history but still leaves some loose threads to wrap up, legal experts say. [Read more »](#)

#### **Trump Makes New Pick For Enviro Council Chair**

President Donald Trump on Tuesday said he intends to nominate the White House Council on Environmental Quality's current chief of staff to chair the group — his second try at filling the position after his first nominee failed to gain Senate approval. [Read more »](#)

#### **White House Pushes Back On Senate ZTE Crackdown**

The White House has started to throw up roadblocks to the Senate's effort to reinstate sanctions against Chinese telecommunications company ZTE, saying Wednesday they would oppose an effort that was tacked onto a must-pass defense bill. [Read more »](#)

#### **Pa. Senate OKs Bill Proposing New State Judicial Districts**

A last-minute GOP-backed amendment to a legislative redistricting bill passed by the Pennsylvania Senate on Wednesday would allow voters to bring an end to statewide elections for members of the state's three appellate courts and instead create a new system of electoral districts for choosing judges. [Read more »](#)

### BANKING & SECURITIES

#### **OCC Hasn't Changed Preemption Stance, Comptroller Says**

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#### LAW FIRMS

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Dewey & LeBoeuf  
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Fried Frank  
Gibson Dunn  
Goodwin  
Greenberg Traurig  
Holwell Shuster  
Hunton Andrews Kurth  
Irell & Manella  
Jenner & Block  
Jones Day  
Kasowitz Benson  
Korein Tillery  
Kramer Levin  
Latham & Watkins

CLV000585

The Office of the Comptroller of the Currency's recent guidance encouraging banks to offer short-term, small-dollar loans shouldn't be read as suggesting a change in the agency's position on national bank preemption, Comptroller Joseph Otting told House lawmakers on Wednesday. [Read more »](#)

### **Sens. Question If SEC Official Abused Role In Remarks To Citi**

Six Democratic senators have asked the U.S. Securities and Exchange Commission's inspector general to look into reports that outgoing Commissioner Michael Piwowar lit into Citigroup Inc. executives during a private meeting at the agency after the bank rolled out firearm sales restrictions for retail clients in the wake of the Parkland, Florida, school shooting. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

### **EPA, Army Corps Sued Again Over Clean Water Rule Issues**

Several environmental organizations alleged that parts of the Clean Water Rule and the regulation delaying its implementation until February 2020 ran afoul of federal environmental laws in a suit against the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers filed in California federal court Wednesday. [Read more »](#)

### **Industry Groups Ask Judge To Sink Clean Water Act Rule**

A large group of industry advocacy organizations on Tuesday urged a North Dakota judge to strike down a controversial Obama-era rule defining the Clean Water Act's reach. [Read more »](#)

### **EPA Ordered To Act On Smog Drifting Into NY, Conn.**

A federal judge held on Wednesday that the U.S. Environmental Protection Agency missed the deadline to craft plans to curb smog pollution blown into New York and Connecticut from other states and ordered the agency to propose those plans by the end of June. [Read more »](#)

## **TRANSPORTATION & INFRASTRUCTURE**

### **Feds Urged To Steer Autonomous Vehicle Infrastructure**

Local transportation agency chiefs and researchers told a U.S. Senate panel Wednesday that the federal government's lead on coordinating investment and fine-tuning regulations will be crucial to getting the nation's highway infrastructure ready for connected and autonomous vehicles. [Read more »](#)

## **REAL ESTATE**

### **NJ Town Illegally Blocked Jewish Worship Site Plan, Feds Say**

The federal government slapped a New Jersey town with a lawsuit Wednesday over its refusal to approve an Orthodox Jewish group's plans to build a new house of worship, in alleged violation of religious land-use law. [Read more »](#)

## **EMPLOYMENT**

### **Sens. Slam US Courts' Action Plan On Sexual Harassment**

U.S. senators on Wednesday criticized efforts by the federal courts to address sexual harassment and other workplace misconduct by judges, calling a report on the topic released by the administrative body of the federal court system "exceedingly vague" and insufficient. [Read more »](#)

### **MLB, Minor Leaguers Spar Over Wage Row Cert. At 9th Circ.**

Minor league players and Major League Baseball went head-to-head at the Ninth

Law Offices of Alan S. Futerfas  
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Proskauer Rose  
Reed Smith  
Selendy & Gay  
Sidley Austin  
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Squire Patton Boggs  
Sullivan & Cromwell  
SulmeyerKupetz  
Wachtell Lipton  
Weil Gotshal  
White & Case  
Willkie Farr  
WilmerHale  
Winston & Strawn

## **COMPANIES**

7-Eleven Inc.  
Advocates for Highway and Auto Safety  
Alliance Defending Freedom  
American Civil Liberties Union  
American Immigration Council  
American Immigration Lawyers Association  
Associated Press  
BTI Consulting Group Inc.  
Bank of America Corporation  
Cato Institute  
Center for Biological Diversity Inc.  
Citigroup Inc.  
Epic Systems Corp.  
First National of Nebraska Inc.  
Google Inc.  
Kansas City Royals  
MGM Resorts International  
Major League Baseball Inc.

Circuit on Wednesday in arguing dueling appeals of a decision that granted collective and class certification to California players who say they weren't paid the legally required minimum wage but rejected Arizona and Florida classes. [Read more »](#)

## GOVERNMENT CONTRACTS

### Wash. Gov. Moves To Counteract High Court's Epic Ruling

Washington Democratic Gov. Jay Inslee on Tuesday directed state agencies to whenever possible contract with businesses that do not require workers to submit to mandatory individual arbitration, following the U.S. Supreme Court's landmark Epic Systems decision to bless employers' use of employment agreements that bar workers from bringing class actions. [Read more »](#)

## AEROSPACE & DEFENSE

### FAA Whistleblower Sparks Probe Of Noncompliant Planes

The U.S. Office of Special Counsel revealed Wednesday that in response to a whistleblower report, the Federal Aviation Administration is checking the records of more than 11,000 aircraft that may be out of compliance with safety rules or improperly registered. [Read more »](#)

### DHS Plan For Northern Border Targets Smuggling, Terrorism

The U.S. Department of Homeland Security on Tuesday released a plan outlining strategies to improve security against terrorism and drug smuggling along the border the United States shares with Canada. [Read more »](#)

## INTERNATIONAL TRADE

### CIT Asks Commerce To Rethink Parts Of Wood Flooring Duties

The U.S. Court of International Trade ordered the U.S. Department of Commerce on Tuesday to take another look at parts of its duties on Chinese plywood flooring, finding that an online report the department had relied on to determine a Chinese producer's electricity usage was too narrow in scope. [Read more »](#)

## TAX

### NY Bill Would Exempt Overhaul's GILTI From State Tax

A New York state senator has introduced a bill that would exempt global intangible low-taxed income, a new income class created by the federal tax overhaul, from state taxes. [Read more »](#)

## IMMIGRATION

### DHS Hit With FOIA Suit Over Asylum Practices At Border

An immigration advocacy group accused the U.S. Department of Homeland Security in D.C. federal court Tuesday of violating the Freedom of Information Act by withholding documents related to how border patrol agents process asylum requests. [Read more »](#)

### Trump Backs House's Deal To Vote On DACA Bills

The House of Representatives could soon vote on several Republican-backed bills addressing undocumented immigrants brought to the country as children after House Speaker Paul Ryan said Wednesday that GOP lawmakers had reached a compromise path with the support of the White House. [Read more »](#)

Mohegan Sun  
NBCUniversal Inc.  
National Association of Home Builders  
National Association of Manufacturers  
National Employment Law Project  
National Rifle Association of America  
New York Times Co.  
PHH Corporation  
Skechers USA Inc.  
Trump Organization Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
UnitedLex Corp.  
Washington Post Co.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Connecticut Attorney General's Office  
Consumer Financial Protection Bureau  
Council on Environmental Quality  
Department of Commerce  
Equal Employment Opportunity Commission  
European Union  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Highway Administration  
Fish and Wildlife Service  
Food and Drug Administration  
Indian Health Service  
Internal Revenue Service  
Mashantucket Pequot Tribal Nation  
Mohegan Tribe  
NAFTA  
National Marine Fisheries Service  
National Telecommunications and Information Administration  
New York Attorney General's Office  
Office of the Comptroller of the Currency

## New USCIS Rule On Student Visas Skirts Laws, Feds Told

A new federal policy for calculating how foreign visitors with student or exchange visas lose their authorization to be in the U.S. runs counter to existing laws and regulations and raises due process issues, immigration attorneys and an advocacy group have told U.S. Citizenship and Immigration Services. [Read more »](#)

## NATIVE AMERICAN

## House Dem Rips Bill On Federal Tribal Recognition Process

The Democratic ranking member of the U.S. House of Representatives Committee on Natural Resources on Wednesday slammed a Republican-led bill that would give Congress sole authority to federally recognize Native American tribes. [Read more »](#)

## Conn. Dems Press DOI Review Over Tribal Gambling Deals

Democratic members of Connecticut's congressional delegation have asked the U.S. Department of the Interior's Office of Inspector General to probe the department's recent decision to allow changes to the Mohegan Tribe's gaming compact while not acting on similar changes sought by another tribe as the pair seek to open a new casino. [Read more »](#)

## TELECOMMUNICATIONS

## Telecom Agency Exploring Fed. Spectrum Leases, Redl Says

The government agency charged with coordinating spectrum is looking into leasing already-allocated portions of the airwaves to encourage the military and other federal entities to use the bands allotted to them more efficiently, David Redl, a U.S. Department of Commerce assistant secretary, testified Wednesday. [Read more »](#)

## Reps Pass Bills On Broadband Access, Pirating Penalties

A House subcommittee on Wednesday advanced four bills aimed at improving the nation's broadband infrastructure and bolstering certain public safety communications, including legislation that would study the needs of agriculture and another that would hike fines for pirating bandwidth. [Read more »](#)

## WHITE COLLAR

## Michael Cohen Splits With McDermott Legal Team

Michael Cohen, personal attorney and self-described "fixer" for President Donald Trump, is in need of a new legal team as he splits with McDermott Will & Emery LLP, according to media reports Wednesday. [Read more »](#)

## EXPERT ANALYSIS

## High Court Passes On New Chance To Clarify CWA Confusion

With its recent decision in *Hughes v. United States*, the U.S. Supreme Court has passed on an opportunity to shed light on its prior rulings on the statutory reach of the federal Clean Water Act, long a source of confusion for lower courts and litigants alike, say Andrea Driggs and Christopher Thomas of Perkins Coie LLP. [Read more »](#)

## How National Security Auto Probe Redefines Trade Debate

In May, the U.S. Department of Commerce began investigating the national security effects of imported automobiles and automotive parts under a once-obscure statute that has gained notoriety thanks to its use by the Trump administration. While this has led to intense reactions from Congress, the chance of legislative action before the midterms is limited, say Pavan Krishnamurthy and Neil Ellis of Sidley Austin LLP.

[Office of the U.S. Trade Representative](#)  
[Pennsylvania Supreme Court](#)  
[Securities and Exchange Commission](#)  
[U.S. Army](#)  
[U.S. Attorney's Office](#)  
[U.S. Customs and Border Protection](#)  
[U.S. Department of Defense](#)  
[U.S. Department of Energy](#)  
[U.S. Department of Homeland Security](#)  
[U.S. Department of Housing and Urban Development](#)  
[U.S. Department of Justice](#)  
[U.S. Department of the Interior](#)  
[U.S. Environmental Protection Agency](#)  
[U.S. House Committee on Energy and Commerce](#)  
[U.S. House of Representatives](#)  
[U.S. Office Of Special Counsel](#)  
[U.S. Senate](#)  
[U.S. Supreme Court](#)  
[World Trade Organization](#)  
[Wyoming Department of Transportation](#)

[Read more »](#)

### **E-Signature Laws Provide Legal Framework For Blockchain**

The drafters of the Uniform Electronic Transactions Act had the foresight to create a model electronic signatures and records law that, 19 years later, readily accommodates blockchain-based transactions. Businesses should consider utilizing UETA compliance checklists before proceeding with blockchain transactions or smart contracts, says Brian Casey of Locke Lord LLP. [Read more »](#)

### **From The 1st Billboards To '3 Billboards': A Legal Evolution**

During movie awards season this year, "Three Billboards Outside Ebbing, Missouri" highlighted the power of a communication medium that some believe has been unduly muzzled over time through regulation and legal challenges, says Karina Saranovic of Delman Vukmanovic LLP. [Read more »](#)

### **How Turkey's Expansive New Tax Amnesty Law Works**

Hakan Eraslan of White & Case LLP discusses a detailed new amnesty law recently enacted in Turkey, which offers taxpayers a broad amnesty for most types of unpaid taxes. [Read more »](#)

### **Why Lawyers Shouldn't Accept Fees In Cryptocurrency: Part 1**

Law firms are increasingly accepting cryptocurrency as payment for services. While this might seem innovative and forward-thinking, ironically it is much more of a throwback, says John Reed Stark of John Reed Stark Consulting LLC. [Read more »](#)

## **LEGAL INDUSTRY**

### **The Firms That Get Clients To Pay The Highest Rates**

When asked which firms manage to secure the highest rates clients are willing to pay, legal decision makers keep coming back to the same 31 firms, according to a new report released Wednesday. [Read more »](#)

### **Paul Weiss Ties Cravath's Associate Salary Bumps**

Paul Weiss Rifkind Wharton & Garrison LLP confirmed it has joined at least two other law firms in catching up to the new associate pay scale and bonus structure put forth this week by Cravath Swaine & Moore LLP. [Read more »](#)

### **LeClairRyan Has Done Away With Paralegals, Secretaries**

U.S. law firm LeClairRyan no longer employs its own operational staff, and instead sends all nonbillable work to a joint venture it has formed with law company UnitedLex, in a groundbreaking new arrangement the firm announced Wednesday. [Read more »](#)

### **Ex-Dewey CFO Gets Discovery Stay For Criminal Appeal**

Dewey & LeBoeuf LLP's former chief financial officer, who was convicted of fraud, won a bid Tuesday to pause discovery in the U.S. Securities and Exchange Commission's New York federal suit against him while his criminal case is still on appeal. [Read more »](#)

### **Avenatti's Ex-Partner Seeks Assets To Satisfy \$10M Judgment**

A former partner at Eagan Avenatti LLP has asked a California bankruptcy court to turn over the defunct class action firm's assets to him to satisfy a \$10 million judgment — a request that includes payments tied to Michael Avenatti's representation of Stormy Daniels in her lawsuit against President Donald Trump. [Read more »](#)

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Perkins Coie  
Sullivan & Cromwell  
White & Case  
WilmerHale  
Akerman  
Akin Gump  
Arnold & Porter  
Ballard Spahr  
Browne George  
Cadwalader Wickersham  
Cooley  
Davis Polk  
Dechert  
Dewey & LeBoeuf  
Eagan Avenatti  
Fried Frank  
Gibson Dunn  
Goodwin  
Greenberg Traurig  
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Jenner & Block  
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Korein Tillery  
Kramer Levin  
Latham & Watkins  
Law Offices of Alan S. Futerfas  
LeClairRyan  
Locke Lord  
Mayer Brown  
McGuireWoods  
Morgan Lewis  
Mowry & Grimson  
O'Melveny & Myers  
Pachulski Stang  
Pillsbury Winthrop  
Reed Smith  
Selendy & Gay  
Sidley Austin

Simpson Thacher  
Skadden  
Spears & Imes  
Squire Patton Boggs  
SulmeyerKupetz  
Wachtell Lipton  
Weil Gotshal  
Willkie Farr  
Winston & Strawn

#### COMPANIES

American Immigration Council  
National Rifle Association of America  
7-Eleven Inc.  
Advocates for Highway and Auto Safety  
Alliance Defending Freedom  
American Civil Liberties Union  
American Immigration Lawyers Association  
Associated Press  
BTI Consulting Group Inc.  
Bank of America Corporation  
Cato Institute  
Center for Biological Diversity Inc.  
Citigroup Inc.  
Epic Systems Corp.  
First National of Nebraska Inc.  
Google Inc.  
Kansas City Royals  
MGM Resorts International  
Major League Baseball Inc.  
Mohegan Sun  
NBCUniversal Inc.  
National Association of Home Builders  
National Association of Manufacturers  
National Employment Law Project  
New York Times Co.  
PHH Corporation  
Skechers USA Inc.  
Trump Organization Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
UnitedLex Corp.  
Washington Post Co.

#### GOVERNMENT AGENCIES

U.S. Environmental Protection Agency  
Department of Commerce  
U.S. Department of Justice  
U.S. Supreme Court  
Army Corps of Engineers



Securities and Exchange Commission  
U.S. Senate  
Federal Bureau of Investigation  
Federal Communications Commission  
National Telecommunications and Information Administration  
U.S. Department of Homeland Security  
U.S. Department of the Interior  
U.S. House of Representatives  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Connecticut Attorney General's Office  
Consumer Financial Protection Bureau  
Council on Environmental Quality  
Equal Employment Opportunity Commission  
European Union  
Executive Office of the President  
Federal Aviation Administration  
Federal Deposit Insurance Corp.  
Federal Highway Administration  
Fish and Wildlife Service  
Food and Drug Administration  
Indian Health Service  
Internal Revenue Service  
Mashantucket Pequot Tribal Nation  
Mohegan Tribe  
NAFTA  
National Marine Fisheries Service  
New York Attorney General's Office  
Office of the Comptroller of the Currency  
Office of the U.S. Trade Representative  
Pennsylvania Supreme Court  
U.S. Army  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Housing and Urban Development  
U.S. House Committee on Energy and Commerce  
U.S. Office Of Special Counsel  
World Trade Organization  
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Jon Ralston  
**Sent:** Fri 12/14/2018 4:58:14 PM  
**Subject:** Ralston Reports -- Morning Flash, 12/14/18

12.14.2018  
This dispatch prepared for .

DAYS UNTIL THE 2019  
LEGISLATURE BEGINS: 52

Good morning, everyone. The first week back from a vacation is the longest week of all. TGIF.

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What's below: Money trails, Morning Flash nuggets and a trivia question about a man from Idaho. (And movie trivia!!!)

#### COMING UP

I am assembling a team of insiders for the legislative session. Premium content will return soon.

#### I WONDER IF SHELDON IS PISSED

[This story](#) seem emblematic of the holiday season for newspaper owner Sheldon Adelson. Although he has not been contacted or implicated, Adelson surely is shaking his head at this latest Trump-related probe.

After a campaign season during which all of his candidates lost, including his choice for governor and LG, and his investment in the most expensive ballot question in history was money down a rathole, Adelson must be wondering why he spends any money on politics at all. If he's paying any attention to it, that is, considering he is still a multi-billionaire.

#### A TRIO OF MORNING FLASH NUGGETS

Nugget No. 1 – Maggie Carlton is a force, and she's watching charter schools, [via The Current's April Corbin](#).

Nugget No. 2 -- [Thanks but no, Mr. President](#).

Nugget No. 3 – Dennis Myers shows how Washoe Republicans are not like rural Republicans, and really [never have been](#).

#### TRIVIA QUESTION OF THE DAY

The most influential native Idahoan in NV history was born on this day. Who was he?

Thursday's winner: Gaming journo Howard Stutz

The question: A project that still exists today was completed 23 years ago today, one that was settled on only after other proposals withered, including one based on Venice, Italy. What is it?

The answer: Fremont Street Experience

#### MOVIE QUESTION OF THE WEEK

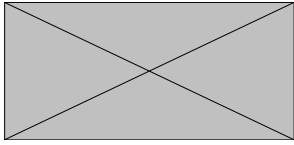
Name the actor and the movies: He plays a neat freak; he plays a whistleblower; he plays a dad looking for his son; and he plays a desperate salesman.

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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 9/26/2018 8:07:30 AM  
**Subject:** Trump Calls Kavanaugh Allegations A 'Con Game' By Dems



**PUBLIC POLICY.**

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**Wednesday, September 26, 2018**

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## TOP NEWS

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### Trump Calls Kavanaugh Allegations A 'Con Game' By Dems

President Donald Trump on Tuesday abandoned a measured approach to sexual assault allegations against U.S. Supreme Court nominee Brett Kavanaugh, calling the matter a con cooked up by Democrats and attacking one accuser's credibility because she "admits she was drunk." [Read full article »](#)

#### Analysis

### How The Mueller Investigation Could Look Without Rosenstein

Uncertainty about Deputy Attorney General Rod Rosenstein's future at the U.S. Department of Justice has rekindled fears about Special Counsel Robert Mueller's fate, but potential Rosenstein successors could find ways to slow Mueller down rather than outright dismantle an investigation that has already felled some of the president's associates. [Read full article »](#)

#### Analysis

### 6th Circ. May Push High Court Review Of Groundwater Cases

The question of whether the Clean Water Act's reach extends to some groundwater pollution was already a contender for U.S. Supreme Court review, and the Sixth Circuit has improved the odds the high court will weigh in by landing firmly on the opposite side of the Fourth and Ninth circuits on the matter. [Read full article »](#)

### Top Dem Wants VA Subpoenaed Over Mar-A-Lago Trio

The House Oversight Committee's top-ranking Democrat has urged Chairman Trey Gowdy, R-S.C., to subpoena the Department of Veterans Affairs for documents it is withholding related to reports that three members of President Donald Trump's Mar-a-Lago Club are influencing department personnel and policy decisions. [Read full article »](#)

### DOJ Aims For 6 Mo. Clock On Antitrust Merger Reviews

The U.S. Department of Justice's top antitrust official announced a series of reforms Tuesday aimed at cutting most merger reviews nearly in half to a goal of no more than six months, following through on plans to speed reviews first floated late last year. [Read full article »](#)

### Political Balance Needed For Fair Judiciary, Del. Tells 3rd Circ.

Delaware told the Third Circuit on Tuesday that the state's requirement for political party balance for its judiciary is a vital source of evenhandedness on a bench that grapples with many of the nation's corporate disputes, fighting a lower court's decision that the rule is unconstitutional. [Read full article »](#)

### 17 AGs Back Mass. In Trump Birth Control Rules Challenge

Pennsylvania and 16 other states threw their support behind Massachusetts' First Circuit bid to revive its challenge to Trump administration rules exempting employers with moral or religious objections from providing birth control coverage under the Affordable Care Act. [Read full article »](#)

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#### LAW FIRMS

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Finger & Slanina  
Fredericks Peebles  
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Hinshaw & Culbertson  
Hogan Lovells  
Immigration Solutions  
Krevolin & Horst  
Labaton Sucharow  
Lieff Cabraser  
Littler Mendelson  
McDermott Will  
Merchant & Gould  
Morrison & Foerster  
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Nossaman LLP  
Paul Hastings  
Quarles & Brady  
Rose Law Firm  
Sheppard Mullin  
Sidley Austin  
Sive Paget  
Thornton Law Firm LLP  
Troutman Sanders  
Western Environmental Law

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## ENERGY & ENVIRONMENTAL

### Mont. Judge Nixes FWS Decision To Delist Yellowstone Grizzly

A Montana federal judge threw out the U.S. Fish and Wildlife Service's decision to remove Endangered Species Act protections for the Yellowstone population of grizzly bear, saying the federal government didn't sufficiently look at the consequences of the move on the bear's overall population. [Read full article »](#)

## IP & TECHNOLOGY

### Streaming Music Royalties Overhaul Heads To Trump's Desk

The U.S. House of Representatives on Tuesday voted unanimously in favor of legislation that would make major changes to how streaming music services like Spotify pay royalties, sending the proposed law to President Donald Trump for final approval. [Read full article »](#)

## EMPLOYMENT

### 9th Circ. Hits Brakes On Purple Communications Appeal

The Ninth Circuit pressed pause on an appeal challenging the National Labor Relations Board's controversial Purple Communications Inc. ruling that gave workers the green light to use employers' email systems to conduct union business while the agency mulls whether to roll back the standard. [Read full article »](#)

## CYBERSECURITY & PRIVACY

### Ga. Officials Want Electronic Voting Suit Paused For Appeal

Georgia election officials have asked a federal judge to pause litigation challenging the state's allegedly insecure and unreliable electronic voting system while they appeal her decision declining to toss the suit, saying their request for review raises immunity concerns that warrant a stay. [Read full article »](#)

### White House Seeks Input On New Approach To Privacy Rules

The Trump administration on Tuesday joined a growing list of stakeholders from the business and advocacy communities that are seeking to influence the development of federal data privacy rules, putting out a call for input on its proposed "outcome-based" approach to addressing consumer privacy concerns the day before a Senate committee is slated to consider the topic. [Read full article »](#)

## PERSONAL INJURY

### Pa. House OKs 2-Year Window For Older Sex Abuse Suits

Following a bombshell report on sexual abuse by Roman Catholic clergy in Pennsylvania, the state's House of Representatives gave approval Tuesday to a bill that would open a special two-year window for victims of childhood abuse to bring claims that are now past the statute of limitations. [Read full article »](#)

## INTERNATIONAL TRADE

### Lighthizer Defends Trump's Hard Line On China

U.S. Trade Representative Robert Lighthizer defended President Donald Trump's aggressive use of tariffs against China on Tuesday, harshly criticizing past administrations' attempts to deal with Beijing on a diplomatic basis. [Read full article »](#)

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## COMPANIES

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Alibaba Group Holdings Ltd.  
Alvarez & Marsal LLC  
Amazon.com Inc.  
American Association of University Women  
American Bar Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Immigration Lawyers Association  
Apple Inc.  
Broadcast Music Inc.  
Caesars Entertainment  
Charter Communications Inc.  
Chemours Co.  
Communications Workers of America  
Electronic Frontier Foundation  
Electronic Privacy Information Center  
Facebook  
Google Inc.  
International Association of Privacy Professionals  
International Union of Painters and Allied Trades  
Johnson & Johnson  
Kinder Morgan Inc.  
LG&E and KU Energy LLC  
Lambda Legal Defense & Educational Fund  
LinkedIn Corp.  
Marvel Entertainment LLC  
Microsoft Corporation  
New York Times Co.  
Planned Parenthood Federation  
Sierra Club  
Spotify Technology SA  
State Street Corp.  
Twitter Inc.  
U.S. Chamber of Commerce  
Washington Post Co.  
Wayfair LLC  
Yahoo! Inc.  
Yale University

## US, EU, Japan Focus On China As Security Tariffs Linger

Top trade officials for the U.S., European Union and Japan vowed Tuesday to continue working together against controversial Chinese economic policies, but gave no indication that they had resolved the struggle arising out of the Trump administration's national security duties on steel and aluminum. [Read full article »](#)

## US Sets Final Anti-Dumping Resin Rates For China, India

The U.S. Department of Commerce intends to hit Chinese and Indian producers of certain types of resin with anti-dumping margins after reaching a final determination that the companies are undercutting the domestic market, according to a notice it is set to publish Wednesday. [Read full article »](#)

## Admiral Nominee Defends Integrity Amid 'Fat Leonard' Link

The nominee to lead U.S. military operations in South America was forced Tuesday to defend his integrity under questioning from Democratic senators, saying he had been cleared of any wrongdoing related to the "Fat Leonard" bribery scandal that has drawn in a number of current and former senior U.S. Navy officers. [Read full article »](#)

## US Adds 14 Entities To Export Restriction List

The U.S. has added 14 entities to an export restriction list for their alleged involvement in activities ranging from supporting Russian cyber vandals to aiding Iranian missile programs, according to a filing set to be published Wednesday in the Federal Register. [Read full article »](#)

## TAX

### Feature

## 4 Things Benefits Attys Need To Know About Tax Reform 2.0

As a new round of tax-reform proposals winds its way through Congress, flush with plans to alter the ways Americans save for retirement, benefits attorneys should pay attention to provisions that would protect closed pension plans, relax benefit-distribution requirements and promote the spread of "association retirement plans," experts say. Here, Law360 breaks down these proposals. [Read full article »](#)

## IRS Studies No-Income R&D Setups In Tax-Free Distributions

A spike in entrepreneurial ventures focused heavily on research and development, while earning little income, has sparked an Internal Revenue Service study to determine if such businesses can undertake tax-free distributions, according to an announcement Tuesday. [Read full article »](#)

## IRS Reform Likely To Move After Midterms, GOP Sen. Says

Legislation that would reform aspects of the Internal Revenue Service may become law after the November elections, a Republican senator told Law360 on Tuesday. [Read full article »](#)

## NJ Adopts Regs To Carry Out SALT Cap Workarounds

New Jersey on Tuesday adopted regulations that will help implement the state's workaround to the federal tax overhaul's state and local tax deduction cap, moving forward on the programs despite regulations the Internal Revenue Service proposed last month that would curtail efforts by blue states to use such programs. [Read full article »](#)

## IRS Revamps APA Program, But Not As Drastically As In 2011

The Internal Revenue Service has again restructured its advance pricing agreement function for multinational companies, the agency said in a statement Tuesday, but an IRS official confirmed the reorganization isn't on the same large scale as a revamp executed in 2011. [Read full article »](#)

## IMMIGRATION

### GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
Bureau of Industry and Security  
Central Intelligence Agency  
Copyright Royalty Board  
Department of Commerce  
European Commission  
European Union  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Internal Revenue Service  
International Trade Administration  
International Trade Commission  
National Labor Relations Board  
National Telecommunications and Information Administration  
New York Attorney General's Office  
Northern Cheyenne Tribe  
Small Business Administration  
Social Security Administration  
Tennessee Valley Authority  
U.S. Attorney's Office  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Navy  
U.S. Senate  
U.S. Supreme Court  
United Nations  
United States Court of Appeals for the Third Circuit  
World Trade Organization

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### **White House Can't Block Discovery In Census Fight**

The Second Circuit refused Tuesday to block states including New York from taking what the Trump administration called "wide-ranging" discovery in a fight over what motivated the addition of a controversial question about citizenship status to the 2020 census. [Read full article »](#)

### **Trump's Bid To End Immigrant Protections Illegal, Judge Told**

A putative class of immigrant families asked a California federal judge Tuesday to force the government to preserve the temporary protected status for more than 200,000 individuals, saying the Trump administration's about-face in determining how that status was determined was unconstitutional and violated the Administrative Procedure Act. [Read full article »](#)

### **Jordanian Immigrant Sues Over Criminal Detention In NH**

A Jordanian immigrant has accused police in Exeter, New Hampshire, of unlawfully detaining him on suspicion that he was living in the U.S. without permission, taking him into criminal custody even though his immigration status is a civil matter, according to a federal court suit filed by the American Civil Liberties Union on Tuesday. [Read full article »](#)

### **Orgs Ask USCIS To End H-1B Premium Processing Pause**

The American Immigration Lawyers Association and the Association of International Educators penned a letter asking U.S. Citizenship and Immigration Services to lift its suspension of premium processing for H-1B skilled worker visas in the cases of students seeking to adjust their status, arguing that if the agency does not process their petitions soon, their underlying status may expire. [Read full article »](#)

## **TELECOMMUNICATIONS**

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### **Kid Vid Revamp Would Be Burden: Sesame Street Producers**

The producers of the long-running educational children's show Sesame Street asked the Federal Communications Commission Monday to delay changes to the Children's Television Act, which sets requirements for children's programming, in order to make sure that any modifications keep educational requirements intact. [Read full article »](#)

### **FCC Seeks More Input On Cable Franchising Fees**

Ahead of its Thursday open meeting, the Federal Communications Commission announced that it advanced a further notice of proposed rulemaking aimed at clarifying what kinds of fees local franchising authorities may charge cable companies in exchange for access to a community. [Read full article »](#)

## **WHITE COLLAR**

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### **NJ Housing Agency Can't Shake Whistleblower Suit**

A New Jersey state appellate court on Tuesday partially revived a suit brought by a former employee of the Housing Authority of the City of Passaic who was allegedly terminated in retaliation for questioning the bidding process on two construction projects, finding that the court should have extended time for discovery before ruling. [Read full article »](#)

## **CIVIL RIGHTS**

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### **Same-Sex Partner Sues SSA Over Denied Survivor Benefits**

A lesbian woman whose partner of almost three decades died before same-sex marriage was legal in Washington state claimed Tuesday that the U.S. Social Security Administration has wrongly denied her spousal survivor's benefits. [Read full article »](#)



## EXPERT ANALYSIS

### Manafort Plea Reminds Us Of Whitewater

It is clear from Paul Manafort's plea agreement that special counsel Robert Mueller's team is using the same prosecutorial strategy that Ken Starr used in Whitewater. Mueller's team, however, also faces the same headwinds that Starr faced, say Lawrence Laurenzi and Joe Whitley of Baker Donelson Bearman Caldwell & Berkowitz PC. [Read full article »](#)

### Preparing For Battle: IP Considerations During Trade War

The new U.S.-China tariffs expand the impact of the trade war on U.S. companies and their suppliers overseas. Tariffs can create negative consequences for intellectual property rights holders due to the reaction that suppliers might have if demand drops, or margins are significantly cut, say Lori Meddings and Li Zhu of Quarles & Brady LLP. [Read full article »](#)

### Wayfair Response Bill Offers Hope For Small Retailers

The Online Sales Simplicity and Small Business Relief Act of 2018 has been introduced in Congress to provide relief for businesses dealing with the online sales tax ramifications of the South Dakota v. Wayfair Inc. decision. Marvin Kirsner of Greenberg Traurig LLP describes the benefits of the bill and makes further recommendations. [Read full article »](#)

### Copyright Owners Should Prepare For Music Royalty Reform

Last week, the Senate passed the first substantive update to music copyright law in a generation. The Music Modernization Act will bring questions, sweeping changes and legal challenges for copyright owners, say Danielle Mattessich and Lindsay Jones of Merchant & Gould PC. [Read full article »](#)

#### Series

### Judging A Book: Block Reviews 'Tough Cases'

In a new, extraordinary book, "Tough Cases: Judges Tell the Stories of Some of the Hardest Decisions They've Ever Made," 13 of my judicial brethren have courageously and dramatically humanized the judicial process, says U.S. District Judge Frederic Block of the Eastern District of New York. [Read full article »](#)

## LEGAL INDUSTRY

#### Feature

### 4 Secrets To Ace The Interview For Your In-House Dream Job

Whether it's a yearning to have an impact on a business or ditch the pressure of billable hours, there are various reasons lawyers consider jumping to an in-house role. But making that leap, or falling flat, can hinge on a strong performance during the interview process. Here, Law360 looks at four ways attorneys can shine when interviewing with corporate decision makers. [Read full article »](#)

### BigLaw Atty Sues To Get \$100K Ring Back From Ex-Fiancee

A Troutman Sanders LLP associate filed suit in D.C. federal court Monday against his former fiancée, saying that she has refused to return a \$100,000 engagement ring even after the engagement was called off. [Read full article »](#)

### Memo In State St. Case Ties Labaton Proxy To Ark. Politician

The Massachusetts federal judge overseeing a probe of an eight-figure plaintiff fee award in the \$300 million State Street class action unsealed a report Tuesday saying a Texas lawyer and a former Arkansas state senator played a "significant role" in securing the case for plaintiffs firm Labaton Sucharow LLP. [Read full article »](#)

#### JOBS

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## LAW FIRMS

Morrison & Foerster  
Alston & Bird  
Baker Donelson  
Ballard Spahr  
Barnes & Thornburg  
Barnes Law Group LLC  
Beveridge & Diamond  
Caplin & Drysdale  
Choate  
Dechert  
Earthjustice  
Epstein Becker Green  
Finger & Slanina  
Fredericks Peebles  
Greenberg Traurig  
Hinshaw & Culbertson  
Hogan Lovells  
Immigration Solutions  
Krevolin & Horst  
Labaton Sucharow  
Lief Cabraser  
Littler Mendelson  
McDermott Will  
Merchant & Gould  
Nixon Peabody  
Nossaman LLP  
Paul Hastings  
Quarles & Brady  
Rose Law Firm  
Sheppard Mullin  
Sidley Austin  
Sive Paget  
Thornton Law Firm LLP  
Troutman Sanders  
Western Environmental Law Center  
Young Conaway  
Ziontz Chestnut

## COMPANIES

American Civil Liberties Union  
Twitter Inc.  
U.S. Chamber of Commerce  
AT&T Inc.  
Alibaba Group Holdings Ltd.  
Alvarez & Marsal LLC  
Amazon.com Inc.  
American Association of University Women  
American Bar Association  
American Federation of Labor and Congress of Industrial Organizations  
American Immigration Lawyers Association

Apple Inc.  
Broadcast Music Inc.  
Caesars Entertainment  
Charter Communications Inc.  
Chemours Co.  
Communications Workers of America  
Electronic Frontier Foundation  
Electronic Privacy Information Center  
Facebook  
Google Inc.  
International Association of Privacy Professionals  
International Union of Painters and Allied Trades  
Johnson & Johnson  
Kinder Morgan Inc.  
LG&E and KU Energy LLC  
Lambda Legal Defense & Educational Fund  
LinkedIn Corp.  
Marvel Entertainment LLC  
Microsoft Corporation  
New York Times Co.  
Planned Parenthood Federation  
Sierra Club  
Spotify Technology SA  
State Street Corp.  
Washington Post Co.  
Wayfair LLC  
Yahoo! Inc.  
Yale University

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
Internal Revenue Service  
U.S. Supreme Court  
European Union  
Department of Commerce  
Federal Bureau of Investigation  
Bureau of Citizenship and Immigration Services  
Federal Communications Commission  
Federal Trade Commission  
U.S. House of Representatives  
United Nations  
Bureau of Industry and Security  
Central Intelligence Agency  
Copyright Royalty Board  
European Commission  
Fish and Wildlife Service  
International Trade Administration  
International Trade Commission  
National Labor Relations Board  
National Telecommunications and Information Administration  
New York Attorney General's Office

Northern Cheyenne Tribe  
Small Business Administration  
Social Security Administration  
Tennessee Valley Authority  
U.S. Attorney's Office  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
U.S. Navy  
U.S. Senate  
United States Court of Appeals for the Third Circuit  
World Trade Organization

## **JOBS**

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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**Cc:** Lora Kalkman[lkalkman@LasVegasNevada.GOV]  
**From:** Carolyn Levering  
**Sent:** Mon 4/11/2016 8:17:41 PM  
**Subject:** RE: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Well, this is certainly...interesting. I do not recall having seen or heard of such communications from this person until now. I will forward the string to the Fusion Center to follow up on. If his message reached Ted Moody prior to his retirement, he would have sent it along to SNCTC as well. If so, they will have a file started on this person and any communications they may have had with him since. His initial warning in May 2014 has yet to pan out and with no specifics to go on, there's not much we can do.

I recommend your response read something to the effect of:

"Mr. Almon, thank you for sharing your concerns about terrorism and its potential impact to the Las Vegas area. I have recently expressed my own concerns directly with Secretary Johnson of the Department of Homeland Security. As a city, we invest in many resources to ensure the safety of the community and the visitors we serve. As you know, we cannot prevent every possible act of violence or terrorism. We work very hard to ensure communication, cooperation and coordination with our local government agencies, the private sector and our state and federal partners to be prepared to achieve our 5 mission areas: prevent, protect, mitigate, respond, recover from terror attack.

I am forwarding your concerns to our Joint Terrorism Task Force and the Southern Nevada Counter Terrorism Center for further investigation. If you have knowledge of *specific planned targets, modes of attack, or dates and times of planned attack*, please file a SAR (Suspicious Activity Report) as soon as possible with our [Counter Terrorism Center](#). This report may be sent anonymously if so desired."

I hope this is satisfactory for your use. Please let me know if he persists with non-specific information about how much danger we are in. Thank you!

Carolyn M. Levering, MEd, CEM  
Emergency Manager  
City of Las Vegas  
*"Building Community to Make Life Better"*  
Office - (702) 229-0770  
clevering@lasvegasnevada.gov  
[www.LVAlert.com](http://www.LVAlert.com)

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**From:** Carolyn G. Goodman  
**Sent:** Monday, April 11, 2016 12:32 PM  
**To:** Carolyn Levering  
**Cc:** Lora Kalkman  
**Subject:** FW: PERSONAL AND CONFIDENTIAL FOR REVIEW BY MAYOR GOODMAN RE: TERRORISM THREAT

Are you aware of this individual and any suggested response.



**CAROLYN G. GOODMAN, MAYOR**

Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

*City Hall is closed on Fridays*

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**From:** [act@preactdontreact.com](mailto:act@preactdontreact.com) [<mailto:act@preactdontreact.com>]  
**Sent:** Friday, April 08, 2016 3:15 PM  
**To:** Carolyn G. Goodman

CLV000604

The Honorable Mayor Carolyn Goodman:

I am contacting you concerning the information on terrorism below. Due to 2 incidents in Las Vegas and my familiarity with terrorism, I sent the email below to a Las Vegas commander, and have since contacted other commanders, corporate, and a Las Vegas politician with my concerns. Unfortunately, the response was as inadequate as the response the FBI agents, civilians, and well known individuals experienced when warning top DC officials about 9/11. This is why I and others are so reluctant to contact authorities concerning the issue, and specifically why I hesitated to contact the Las Vegas commander with my original warning (due to what I witnessed in Las Vegas). If it were not for the fact so many EU, Australian, Chinese, and Indian friends/kids that I know visit Las Vegas I would just ignore the situation and let it happen and then say I told you so to the media. (I am also covering myself by having proof that I did warn every authority responsible for public safety in Las Vegas, the US, and abroad.) I assure the situation is far worse than you know, and I would not underestimate it or the ruthlessness of the enemy. They have already picked out their targets and made their decision to carry out their missions no matter what. They will have to be physically stopped by and aggressive and competent campaign led by competent and aggressive law enforcement/intelligence officers.

Due to the seriousness of the situation, my ties to the EU, Australia, and other countries, I have warned Ministers that I have had previous contact with and others this week concerning issuing a travel warning to their citizens. I have not mentioned the city of concern, however as of next week I may have to. I do not want to get involved in the situation at all, I like 3 other top terrorist experts are fed up with the incompetence and politicizing of terrorism that has led to the disastrous attacks from 9/11, Paris, San Bernardino, and now Brussels. (The experts are former Clinton & Bush terrorism expert Richard Clark, former CIA agent/CNN consultant Bob Baer, and former Bin Laden desk Chief Michael Scheuer.) We have all reached this point due our being completely correct in our forecasts and strategies for addressing terrorist threats, and the individuals and entities that were listened to being dead wrong each and every time. An audit of my record on forecasting terrorist trends and events to be irrefutably accurate, and an audit of the *"experts"* to be irrefutably inaccurate.

The individuals that are sought after to address terrorism in the US by the government and media are not actually experts—are you aware of that? If you are counting on US or local counter terrorism officials to save Las Vegas—I would stock up on body bags, you're going to need them.

Those responsible for anti-terrorism measures in Las Vegas and the US as a whole have no idea what they are up against, nor do they have a clue as to how to negate the threat—hence why ISIS/Al Qaeda continue to beat them to the punch.

**EXAMPLES:**

—The only people that did not know that Ms. Prouty a terrorist mole were the Directors of the FBI and CIA (literally) that fought over her and gave her the highest awards the agencies has [https://www.justice.gov/archive/opa/pr/2007/November/07\\_nsd\\_910.html](https://www.justice.gov/archive/opa/pr/2007/November/07_nsd_910.html) <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>. There are a lot more Nada Prouty's in the US committing the same act. Ms. Prouty proves a Middle Easterner cannot be vetted, there are many just like her in the US that have US passports, driver's licenses, and they are in no way who the government thinks they are right down to the names on those documents.

—This terrorist pioneer lived 2 miles down the road from me [http://articles.chicagotribune.com/1985-06-19/news/8502090070\\_1\\_lebanon-david-berry-nabih-berri](http://articles.chicagotribune.com/1985-06-19/news/8502090070_1_lebanon-david-berry-nabih-berri)

I grew up here and know or have met all of the people connected to this issue and I assure you the situation is far worse

CLV000605

than is suspected by authorities. I have met and talked to many of the individuals responsible for stopping these terrorists, and trust me—the terrorists are far ahead of the opposition.

[http://www.mlive.com/news/detroit/index.ssf/2014/08/report\\_more\\_residents\\_in\\_dearb.html](http://www.mlive.com/news/detroit/index.ssf/2014/08/report_more_residents_in_dearb.html)

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=plane+terrorism+dearborn+>

### **LAS VEGAS CONNECTION**

<http://www.wxyz.com/news/local-news/investigations/happys-pizza-headquarters-raided-by-irs-criminal-division-dea> ( Las Vegas has a franchise and a lot more connections to Detroit/Dearborn than you likely are aware of. It is a case of this <https://www.youtube.com/watch?v=JcZHSGyos6g>)

I have talked with the founders of this business several times and this case was strictly about terrorist funding as in this case [http://www.mlive.com/lansing-news/index.ssf/2011/12/report\\_several\\_southeast\\_michi.html](http://www.mlive.com/lansing-news/index.ssf/2011/12/report_several_southeast_michi.html).

In closing, my original warning should have been ran to ground, the fact that it wasn't is proof of just how off and far behind Las Vegas is in addressing Paris and Brussels style attacks (this week every Minister from every foreign country I contacted responded with a phone call or/and email seeking further information because they now *"get it"*.) To be direct, authorities in Las Vegas and the US have their heads in the sands regarding the issue of terrorism and must change their strategy and tactics while they still have a chance to do so. With Las Vegas having the worst inherent terrorist vulnerabilities of any major city, Las Vegas should be much more precise and aggressive in avoiding such an attack (which is possible). An attack in the manner that I have forecast would dwarf the Paris body count by a minimum of X5, however it will be worse. The intelligence, physical security, and counter measures of Las Vegas are an invitation for an attack, and the terrorist know all of the cities vulnerabilities as well as I do.

No casino pit boss, dealer, etc. could have the record of the anti-terrorism leadership and still be employed in Las Vegas, it is the equivalent to them *"losing"* track of a million dollars every day for a year and the casino owners and Gaming Control Board accepting any explanation he came up with as legitimate. This would never happen. The see something say something just does not work as Brussels, Paris, and San Bernardino prove with the number of people that knew and didn't talk for various reasons. The #1 reason is that people simply have no confidence in authorities taking proper action. Examine my experience with the issue, each time I am putting my life and business life in danger by even contacting authorities in Las Vegas, and not once has anyone so much as responded or asked me how and why I reached the conclusions I have reached. This is a mirror of the warning by James Woods cited below regarding 9/11—it all could have and should have been ended right then and there. The mindset of law enforcement/political leadership on the municipal level must change, at the end of the day the battle and ramifications are like all politics—local.

As you know the odds always catch up, and luck runs out. Vegas' luck is about to run out in the worst of ways. If you would like the scenario I war gamed, I will forward it upon your request.

Thank you and good luck—

Sincerely,  
Jerome Almon



### **EMAIL TO LV COMMANDER**

----- Original Message -----

CLV000606

Subject: INFORMATION ON SAFETY ISSUES–LAS VEGAS

From: <[info@thecountermedia.com](mailto:info@thecountermedia.com)>

Date: Sat, May 17, 2014 1:02 pm

To: [ted@tedmoody.com](mailto:ted@tedmoody.com)

Sheriff Moody:

Thank you for your response and time regarding the issues below:

### **1)THE TERRORISM ISSUE:**

As you are certainly aware of, Al Qaeda has Las Vegas as one of its top 5 main targets, specifically the Strip. I am certain that the area has been scouted and targets selected based on my experience in the area and my observations of individuals and groups while in Las Vegas. They will hit what is most familiar with them, and Las Vegas is very familiar to them. (For example the mastermind behind 911 graduated from the University of North Carolina <http://edition.cnn.com/2002/US/South/12/19/al.qaeda.aggie/> .

### **ACTIONS THAT WILL BE TAKEN BY TERRORIST:**

A) <http://newyork.cbslocal.com/2014/03/19/al-qaeda-magazine-calls-for-car-bombings-in-u-s-new-york>

B) <http://www.cnn.com/2013/09/18/world/asia/mumbai-terror-attacks/>

### **RECOMMENDED COUNTER MEASURES:**

A) Special response teams will not get to the site in time, and must be in place PRIOR to any incident in the immediate area.

B) *CONTAIN AND KILL*—officers must be prepared to neutralize the terrorist at the point of attack, i.e. the attacker cannot be allowed out of the building, off the block, or off the side of the street where they attacked (Las Vegas Blvd is a perfect kill zone for a terrorist due to its geography, such as the inability to cross the Strip in certain areas combined with the natural traffic volume.) Point blank, these are the same individuals and groups that Delta Force, Navy SEALs, Army Rangers, Airforce Commandos, and Marine RECON/special forces faced on the battlefields of Iraq and Afghanistan—they are not to be underestimated. (Essentially they are Islamic special forces.) They are going to attack sooner than later.

C) Las Vegas should have its own anti-terrorism unit on the level of the NYPD's anti-terrorism unit, NYC learned its lesson the hard way 911—YOU CANNOT DEPEND ON THE FEDERAL GOVERNMENT TO PROTECT YOUR CITY. As you will see in the information from the Canadian CIA (CSIS) and the response to that information from both that unit and myself, the federal authorities are grossly out of touch with reality regarding terrorism.

– <http://www.cbsnews.com/news/the-case-against-nada-prouty-26-03-2010/>

– <http://www.nydailynews.com/news/world/fbi-appalled-cia-veterans-defense-agent-nada-nadim-prouty-lies-article-1.258534>

– <http://pamelageller.com/2007/12/hezbo-mole-cruc.html/>

I assure you this is not close to the worst.

I am well versed in this area as you will see due to my studies/duties as a university guest lecturer, and personal experiences however most of my experience is first hand. I left college and joined the US Army, several individuals that I attended college with left college and joined our enemy and did fight against the US in numerous war zones around the world. These individuals are supported by groups in America, and know the country as well as you and I do.

### **TSA NOT TO BE DEPENDED ON**

CLV000607



[http://www.huffingtonpost.com/2013/12/23/airport-security\\_n\\_4494308.html](http://www.huffingtonpost.com/2013/12/23/airport-security_n_4494308.html)

<http://www.cbsnews.com/news/u-s-border-patrol-has-a-sex-abuse-problem-says-whistleblower/>

(Morale within the agency is as low as its competence—my letter warning of issue.)

**30 MARCH 2009**

Secretary Janet Napolitano  
Department of Homeland Security  
U.S. Department of Homeland Security  
Washington, DC 20528

Secretary Napolitano—

I am writing you concerning a pervasive and unacceptable sanctioned policy within the Department of Homeland Security of the sexual harassment of female traveler's entering the United States. I have been informed by numerous female travelers coming to visit me in the United States from Norway, Germany, and especially Canada that they are routinely harassed by male DHS inspectors. I find the allegations completely credible due to the carbon copy stories from the females, and the profile of the females— all attractive teen or near teen girls traveling alone. The harassment is so overt that it is impossible that supervisors are not aware of it, do not witness it, and in fact sanction it.

I have a substantial amount of both academic and field study experience in this area, and have personally witnessed the practice by DHS employees myself. This should be addressed in the open without hesitation. It is insulting to the female travelers, and also opens up US females to the retaliatory actions by the security personnel of other countries— which I assure has happened. Certainly with all the alleged dangers facing Americans and the gaping holes in border security at the various ports of entry, DHS does not have the luxury expending valuable energy and tax payers money on sexually harassing female travelers.

I thank you for your time and consideration and will await your reply.

Sincerely,

Jerome Almon

----- Original Message -----

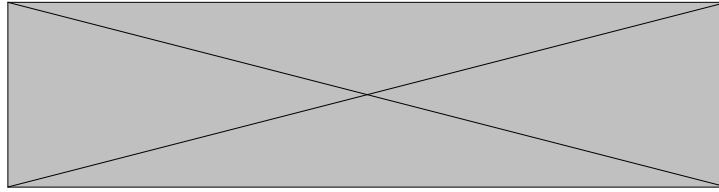
Subject: Re: DHS RAPE/MURDERS—SCHOOL SHOOTINGS

From: "Senator Debbie Stabenow" <[senator@stabenow.senate.gov](mailto:senator@stabenow.senate.gov)>

Date: Wed, December 23, 2015 11:48 am

CLV000608

To: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>



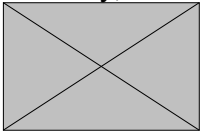
Dear Jerome,

Thank you for contacting me about the reports of sexual misconduct and abuse by U.S. Customs and Border Protection agents. I appreciate that you have taken the time to communicate your views and concerns with me.

I share your concern about this issue. Should related legislation come before the U.S. Senate for a vote, I will keep your views in mind, and share your thoughts on this issue with my colleagues who serve on the Senate Homeland Security and Governmental Affairs Committee.

Thank you again for contacting me. Please continue to keep me informed about issues of concern to you and your family.

Sincerely,



Debbie Stabenow  
United States Senator

U.S. Senator Debbie Stabenow  
The United States Senate • Washington, DC 20510  
[stabenow.senate.gov](http://stabenow.senate.gov)

**POLICE NOT EQUIPPED FOR TERROR ATTACK IN NYC-OR ANYWHERE ELSE**

<http://observer.com/2015/11/sergeants-union-boss-nypd-patrol-cops-not-ready-for-paris-style-terror-attack/>

**9/11 WARNINGS IGNORED BY AUTHORITIES**

<http://www.wnd.com/2006/03/35348/>

<http://www.newsweek.com/saudi-arabia-911-cia-344693>

<http://truth-out.org/archive/component/k2/item/61531:fbi-agent-says-he-warned-of-911-hijackings>

[http://www.democracynow.org/2004/4/9/two\\_fbi\\_whistleblowers\\_accuse\\_bureau\\_of](http://www.democracynow.org/2004/4/9/two_fbi_whistleblowers_accuse_bureau_of)

<http://www.cbsnews.com/news/fbi-was-warned-about-flight-schools/>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=fbi%20agent%20warning%20911>

**WHAT IS NOW DHS AND NYC WERE WARNED AT THE SAME TIME OF THE THREAT AND ONLY ACTED AFTER MY FORECAST**

CLV000609

## CAME TRUE

----- Forwarded Message -----

**From:** "WEB.COMMENTS@customs.treas.gov" <WEB.COMMENTS@customs.treas.gov>  
**To:** [REDACTED]  
**Sent:** Thursday, September 20, 2001 9:40 AM  
**Subject:** Detroit/Windsor security/GYR

Thanks for your message. I am forwarding it onto the Security Team for investigation.

Customs/GYR

[REDACTED] (Jerome Almon)

09/14/01 03:54 PM

**To:** [web.comments@customs.treas.gov](mailto:web.comments@customs.treas.gov), [technical@customs.treas.gov](mailto:technical@customs.treas.gov)  
**cc:**  
**Subject:** U.S. Customs Website Comment.

Below is the result of your feedback form. It was submitted by  
Jerome Almon [REDACTED] ([\[REDACTED\].com](mailto:[REDACTED].com)) on Friday, September 14, 2001 at 15:54:31

-----  
email [\[REDACTED\].com](mailto:[REDACTED].com)

subject-of-this-message: Detroit/Windsor Security

website\_comments: I have had previous contacts with your office issues (specifically Bonnie Tischler). I feel it is necessary to reintroduce this information ( I will send a copy of this information to US Senator Carl Levin.) I have made complaints against certain procedures and individuals at the Detroit/Windsor border crossing. I also corresponded with the Canadian Minister for Immigration (Elinor Caplan) concerning the fact that even the supervisors at the Canadian border do not understand much of the information they need to concerning legitimate vs. false documentation. (I unfortunately am able to prove this point.) Meaning if say a person was on a wanted list -the Canadians often ask the person to interpret the information. Finally the Detroit/Windsor tunnel. It is a disaster waiting to happen. Since the US checks cars AFTER they have entered the tunnel (as does Canada) -doesn't that defeat the objective of stopping a terrorist act in the tunnel? The check should happen before the tunnel is entered, and after-or the tunnel should be closed.

-----  
REMOTE\_ADDR: 24.131.62.95  
HTTP\_USER\_AGENT: Mozilla/4.0 (compatible; MSIE 5.0; Windows NT; DigExt)

I originally warned a agent at a federal law enforcement entity of the threat on 9/11 and although he agreed I was correct, he took no action, stating he didn't exactly know what to do regarding the information, and that he was quite frankly stunned at the danger. Only when an individual drove through the tunnel with what appeared to be a bomb on his front seat did the politicians take the matter up, as you will see with NYC. The tunnel is in a far worse position than it was on 9/11 due to Detroit's economic collapse, the influx of more Middle Easterners into Canada, and this <http://www.reuters.com/article/us-detroit-tunnel-bankruptcy-idUSBRE9600RT20130725>.

CLV000610

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Tighter security at border hits snag

Legal issues may block U.S., Canada checks before crossing

By Lisa Zagaroli / Detroit News Washington Bureau

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WASHINGTON -- Checking travelers between the United States and Canada after they've crossed the border -- which some liken to checking airline passengers after they land -- is being scrutinized by officials concerned that bridges and tunnels could be vulnerable to attack. Lawmakers are pressuring the U.S. Customs Service and Canadian officials to come up with a decision this week on whether the countries can swap inspection locations.

An alternative to paying a toll, crossing the bridge or tunnel, and then being scrutinized by Customs officials once inside the other country's territory is to do inspections before crossing.

Although the reverse inspection system is the only solution being lobbied to enhance infrastructure safety, the two nations haven't agreed on how to settle legal obstacles. An old idea revived by the Sept. 11 terrorist attacks, a revised system would involve numerous agencies in both countries in the decision.

"This reverse clearance proposal has a number of sovereignty and structure issues attached to it," said Michel Proulx, spokesman for the Canada Customs and Revenue Agency in Ottawa.

"There are a lot of players involved in all of this. It's difficult to get a sound, concrete answer. No one department or agency would be able to say yes or no."

There's little to stop someone who wanted to damage the Ambassador Bridge, Detroit-Windsor Tunnel, or even Detroit Metropolitan Airport, if the crime is done before the perpetrator even gets to an inspection point, critics say.

Besides the human safety concern, destroying any one of the border-crossing points would do serious harm to the auto industry, one of the United States' economic engines, and many other businesses that rely on just-in-time delivery of material. Michigan had \$70 billion in trade with Canada in 2000.

**"Every time I drive through that tunnel, I expect something to happen," said Jerome Almon, a Detroit resident who drives to and from Toronto at least twice a month.**

**"Osama bin Laden says the economy is what they want to attack, and you cannot find a more decimating effect than that bridge or tunnel on our economy. You will kill Detroit, it's over, goodbye. But think of the effect on the rest of America."**

Firearms an issue

Aside from jurisdiction, the question of whether U.S. Customs agents should carry firearms in Canada is of particular concern to Canadians. Canada is known for being much less tolerant of guns than the United

States.

"Our Customs officers are not armed and at this point in time we still feel there is no reason for them to be," Proulx said.

"We have a study going on right now to determine whether the tools they have are adequate to do their jobs safely and with full security. The U.S. (agents) are (armed) and definitely that would be one of the snags in the issue."

The preclearance concept does have precedent. U.S. Customs agents inspect U.S.-bound passengers at six Canadian airports so they don't have to be routed through Customs once they arrive like travelers on flights from every other country, said former Michigan Gov. James Blanchard.

He spearheaded the "open skies" agreement when he was U.S. ambassador to Canada.

The real stumbling block to doing this at bridges and tunnels will be working out how much authority each side is given to enforce the other country's laws, he said.

"You could always prevent (a suspicious passenger) from getting on the plane," Blanchard said. "The question is who arrests them, can they say 'I choose not to fly' then go home, or do we hold them?"

Sen. Carl Levin, D-Detroit, said he thinks all of the issues can be worked out.

"The only impediment here is bureaucratic impediment," he said. "Even though there's supposed to be an urgency after Sept. 11, there seems to be some unnecessary foot-dragging."

Levin and Sen. Debbie Stabenow, D-Lansing, sent a letter to Customs Commissioner Robert Bonner on Jan. 4, insisting on a progress report by Friday.

"It is obvious that inspecting vehicles for dangerous contents such as bombs or explosives after they enter our tunnels or cross our bridges is inadequate," they wrote.

Customs spokesman Jim Michie said he wasn't sure when a decision would be made on reverse inspections, but that it was being closely studied.

Tighter local security

Local authorities say they've taken the steps they can to bolster security.

Travelers who use the Detroit-Windsor Tunnel are no longer allowed through unless operators are certain they can make to the other side without backups, said Gordon Jarvis, president of the Detroit & Canada Tunnel Corp.

"If there is an incident and you need to get out, there is space for you to do so, and there are fewer cars in the tunnel at any one time," Jarvis said. "It also makes it much easier for us to identify when there are incidents in the tunnel."

Jarvis said reverse inspections are a viable option at the tunnel, despite the smaller queue area, compared to other crossing points like the Ambassador Bridge.

The owners of the Ambassador Bridge have installed new lighting,

fencing and surveillance cameras, as well as armed security 24 hours a day, said Dan Stamper, president of the Detroit International Bridge Co. Stamper said the bridge company is paying for the extra security. "We're not sure whose responsibility it is for the cost of security, but we are not in the position to say it's not going to be done," he said.

The bridge authority has completed plans showing that logistically, preclearance can be implemented on an interim basis within 90 days, Stamper said. In doing so, there would be the added bonus of huge efficiencies in traffic flow.

"The current six lanes that cross the border, two at the tunnel and four at the bridge, become traffic lanes and not parking lots," Stamper said. "It increases the capacity of both the tunnel and the bridge, a lot more than anything else we can do today."

#### Blue Water Bridge study

Bruce Campbell, the engineer manager of the Blue Water Bridge, said the proposal is being examined as part of a long-term security review of the span connecting Port Huron with Sarnia, Ontario.

With the Ambassador Bridge being the busiest U.S.-Canada entry point, carrying 12 million vehicles a year, the economic implications for the region are enormous.

"One 18-wheeler goes across that bridge every eight seconds," said Carmine Palombo, director of transportation planning at the Southeast Michigan Council of Governments.

The implications for the bridge and tunnel operators are significant as well.

"They're all looking at an out-of-pocket expense they hadn't anticipated," said Neil Gray, director of government affairs at the International Bridge, Tunnel and Turnpike Association, which represents toll agencies.

"Nobody wants to do a toll increase to reflect this, in fact I'm not sure anyone has proposed one, but it's an issue we are all having to think about."

Protecting airports is a concern as well, though most of the attention has been on protecting aircraft against air piracy, Capt. Duane E. Woerth, president of the Air Line Pilots Association, told senators late last year.

Noting that airports in Rome and Vienna have been hit, Woerth said he's worried terrorists could attack ticket counters, check-in facilities and lines of passengers waiting outside.

Airlines, bridges and tunnels are experiencing lower traffic flow because of leisure travelers concerned about terrorist risks.

**Almon, the Detroiter who travels to Toronto on business, said he's a former combat engineer with the Army and he's concerned about how easily a carload of explosives put together with store-bought material could take out the bridge or tunnel.**

**"At the mouth of the Detroit tunnel sits General Motors headquarters, a terrorist would get two for one with that," Almon said.**

<http://www.dailymail.co.uk/news/article-1334404/US-subway-tunnels-terror-proof-600m-ring-steel.html>  
<http://nypost.com/2010/11/30/path-tunnels-get-600m-ring-of-steel/>

<http://www.cbc.ca/news/canada/windsor/story/2012/07/12/wdr-windsor-detroit-tunnel-closed.html>

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&esv=2&ie=UTF-8#q=bomb%20in%20detroit%20windsor%20tunnel>

Ahmed Ressam, the Millennium bomber had the Detroit-Windsor tunnel, GM HQ, and the Ambassador Bridge as his secondary targets if he could not reach LAX. Had he chosen either, he would have been 100% successful and 9/11 would not be close to America's worst terrorist attack. <https://www.fbi.gov/about-us/history/famous-cases/millennium-plot-ahmed-ressam>

**THIS EMAIL WAS THE RESULT OF ONE OF NUMEROUS SECURITY WARNINGS I SENT TO THE CANADIANS COMING TRUE AND THE US SECURITY AND POLITICAL AUTHORITIES NOT UNDERSTANDING THE IMMINENT DANGER**

From: Minister of Transport, Infrastructure and Communities / Ministre des Transports, de l'infrastructure et des Collectivités <[MINTC@tc.gc.ca](mailto:MINTC@tc.gc.ca)>

Date: Thu, Oct 13, 2011 at 1:24 PM

Subject: Proposed construction of a new bridge

To: [REDACTED]

Cc: "[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)" <[cims\\_oper@pm.gc.ca](mailto:cims_oper@pm.gc.ca)>

Dear Mr. Almon:

Thank you for your correspondence of July 18, 2011, regarding the proposed construction of a new bridge between Detroit and Windsor. Please accept my apologies for the delay in replying.

Again, thank you for writing and for providing me with your comments.

Yours sincerely,

Denis Lebel, P.C., M.P.

c.c. Office of the Right Honourable Stephen Harper, P.C., M.P.  
Prime Minister

The issue with the Ambassador Bridge is equally troubled, the owner has successfully blocked a new bridge being built. The issue too closely resembles the Dubai Ports issue [https://en.wikipedia.org/wiki/Manuel\\_Moroun](https://en.wikipedia.org/wiki/Manuel_Moroun). Ottawa wrote me 90 days after my warning to CYA and because again what I warned them about occurred.

CLV000614

The largest portion of the trade comes through the tunnel and bridge mentioned

<https://www.commerce.gov/news/blog/2014/01/secretary-pritzker-highlights-strong-economic-partnership-between-usa-and-canada>

## PARIS-SAN BERNARDINO-BRUSSELS

----- Original Message -----

Subject: RE: JEROME FROM WAYNE STATE UNIVERSITY

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Wed, October 21, 2015 11:44 am

To: "Mitja\_Žagar" <[mitja.zagar@guest.arnes.si](mailto:mitja.zagar@guest.arnes.si)>

Dr. Zagar-

Good to hear from you. I am sorry I just got to my email messages, I am working on several other huge projects that all come back to the migrant issue. I will have to hook up Skype, I don't know how it works to be honest.

The situation in the States is pretty dire. We are essentially at civil war with the country collapsing socially. All of the work that you and Dr. Feinstein did and your forecasts turned out to be 100% accurate. Simply put, America bet on the wrong people with the wrong plans and now we are getting our comeuppance.

I am against the re-settling of immigrants in the US or Europe, it will most certainly lead to more conflict in both areas and the Middle East. The only hope is establishing a safe zone in Syria and Iraq, which is as close to impossible as it gets considering the collapse of the basic structures and the radicalization of the factions. Electing George Bush was the worse event that has happened to the world since WWII. I will get on Skype and send you another email asap. I am moving to Berlin to work on a large social media project in the next 30-60 days. In the meantime I am sending these articles for your review concern my thoughts on the migrant issue. Would you be able to attend a conference on the issue of the migrants and school shooter issues in Europe or the US with all expenses and a fee paid to you?

**The other issue I am extremely concerned about is a threat that would end Detroit, cost America 2 million jobs in a week, and plunge the stock market to below 2008 and 911 levels. The Iran deal was done in part due to Iran has 40,000 agents in or at America's borders prepared to attack if Iran's nuclear facilities were attacked. That is the good news, the bad news is the Sunnis have 3X that many agents in the US and are preparing for their "Islamic Tet offensive." With Russia, out of necessity intervening in the Syrian/Iraq war and the US govt. giving behind the scenes approval for the Russian-Iranian-Alawite axis which will inevitably bring in Israel and the US the Sunnis will go**

CLV000615



after the US and Canadians on their own soil in a much more aggressive and massive way. My assessment is that the Chinese will be drawn into the war due the unrest with the Xinjiang Province and the Uighars. The Islamic State (IS) has spread throughout Central Asia and will take Afghanistan and defeat the Taliban in the end unless there is a "mass war event." It is my contention that Putin has decided to that. He cannot lose the Syrian-Iraq War, he cannot allow the IS to continue to grow in the Central Asian Republics, and Afghanistan, and he is not giving up Crimea, and does not have the military resources nor money to fight a prolonged war. I believe Putin is planning to use a tactical/battle field nuclear weapon (NATO appears to be thinking that way on the Ukraine which is insane). Most of the intelligence guys that I respect believe that is the only way to stop the IS/Sunnis or to completely withdraw from the Middle East. What is your opinion?

Thanks-

Jerome

(My numbers on the size of the networks mentioned are accurate I assure you. 2 other respected security/intelligence officers that have a proven track record of accuracy, agree with me. The messages I sent to US authorities were more detailed and were sent in the Spring of 2014, and the Spring and Summer of 2015.)

#### **DR. ZAGAR BIO**

#### **CV**

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=mitja%20zagar%20cv>

#### **INTERVIEW**

[http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h\\_b\\_7620756.html](http://www.huffingtonpost.com/john-feffer/could-the-yugoslav-wars-h_b_7620756.html)

#### **PUTIN STATEMENT ON NUCLEAR WEAPONS**

<http://www.express.co.uk/news/world/625465/Islamic-State-Russia-Vladimir-Putin-threatens-bomb-ISIS-nuclear-weapons>

#### **WARNING TO AIRLINE INDUSTRY THAT FORESAW BRUSSELS ATTACK**

----- Original Message -----

Subject: THE THREAT OF TERRORISM TO THE TRAVEL INDUSTRY AND CORRECTIONS  
THAT MUST BE MADE

From: <[act@preactdontreact.com](mailto:act@preactdontreact.com)>

Date: Sun, November 29, 2015 7:59 pm

To: [president@apfa.org](mailto:president@apfa.org), [Nancy.Rivard@airlineamb.org](mailto:Nancy.Rivard@airlineamb.org),  
[public-comment@alliedpilots.org](mailto:public-comment@alliedpilots.org), [PMclsaac@americanpilots.org](mailto:PMclsaac@americanpilots.org),

CLV000616

[comm.chair@alliedpilots.org](mailto:comm.chair@alliedpilots.org)

Cc: [communications@apfa.org](mailto:communications@apfa.org)

Sir or Madam: I am forwarding the following information sent to first responders, due to its application to your industry. To be direct, I have warned your union several times since 9/11 of these very threats, and the actions of the leadership has not matched the threat. Unfortunately, this is the same conduct of law enforcement and political leadership regarding what is now a catastrophic situation. That is, the industry will suffer huge losses in both personnel and revenue due to the lack of taking prudent steps to pre-act rather than react to obvious threats. The only hope in negating or minimizing the threat is for the travel, hotel, and tourism industries along with the pilot and flight attendant unions (and their allies) to join forces and seek to have necessary security and industry support measures put in place without political consideration. The needed measures must be completely based on the real world security and economic threat that exists, and is getting worse by the minute. The losses France and Belgium are suffering are just the beginning, and minor in compared to an Egypt Air or Russian Sharm El Sheikh incident in North America or Europe. I assure you, the threat is far worse than is known even to most of the law enforcement community.

Sincerely,

Jerome Almon

### **ECONOMIC IMPACT**

<http://www.dailymail.co.uk/news/article-3338173/Terror-attacks-Paris-means-visitor-numbers-Europe-tumble-France-lost-1-4bn-tourism-revenue.html>

[http://www.dailymail.co.uk/news/article-3338512/EU-leaders-agree-Turkey-2-1 billion-help-tackle-migrant-crisis-tighten-security-borders.html](http://www.dailymail.co.uk/news/article-3338512/EU-leaders-agree-Turkey-2-1-billion-help-tackle-migrant-crisis-tighten-security-borders.html)

### **UNADDRESSED THREATS TO YOUR INDUSTRY**

–Foreign pilots compromised by ISIS or Al Qaeda committing an act similar to the pilot of Egypt Air 990 at an airport, city, or against another passenger airliner –An attack on airports using car/truck bombs and suicide bombers/shooters against shuttle buses and the non-secure areas of the airport such as ticketing –Compromised airport personnel (this is worse than is indicated here)

<http://www.nydailynews.com/news/world/isis-terrorist-minneapolis-worked-major-american-airport-report-article-1.1925924>

<http://www.express.co.uk/news/world/622702/easyJet-Paris-attacks-France>

CLV000617

<https://www.rt.com/news/323811-paris-airports-fired-radicalization/>

## **TRUE STATE OF THE TERRORIST THREAT IN AMERICA**

From Canada's CIA (CSIS):

*"Many Canadians may be surprised to learn that, with the exception of the United States, there are more terrorist groups active in Canada today than in any other country in the world."*

## **VERIFICATION**

<http://www.torontosun.com/2013/01/23/algerian-terrorists-had-canadian-ties-eh>

The information was removed from the website in late 2013 due to White House protests, the largest number of these terrorist are at the South end and North end of the tunnel and bridge cited below.

## **THESE REPORTS ARE FICTION**

<http://www.cnn.com/2015/12/01/politics/isis-in-united-states-research/>

<http://www.foxnews.com/world/2016/03/23/isis-trains-400-fighters-to-attack-europe-in-wave-bloodshed.html>

There are more than 400 ISIS operatives and 300 recruiters in my neighborhood. As with the deliberate ignoring of the 9/11 warnings, these non-scientific reports will result in the deaths of untold numbers of civilians.

## **ISIS INTELLIGENCE FRAUD**

<http://www.cnn.com/2015/12/01/politics/michael-flynn-obama-isis/>

<http://www.thedailybeast.com/articles/2016/04/03/intel-analysts-we-were-punished-for-telling-the-truth-about-obama-s-isis-war.html>

[http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?\\_r=0](http://www.nytimes.com/2015/11/22/us/politics/military-reviews-us-response-to-isis-rise.html?_r=0)

This failure to provide and act on the factual information regarding ISIS has led to every death of Westerners from 2012 forward– at least including Paris and Brussels. It also has American cities in the disastrous position they are in.

## **BND WARNING TO GERMAN CHANCELLOR ANGELA MERKEL**

CLV000618

<http://www.dailymail.co.uk/news/article-3290092/Germany-s-secret-service-warns-country-importing-Islamic-extremism-anti-Semitism-people-s-ethnic-conflicts-different-understanding-society.html>

## **NEW YEARS EVE RAPES/RAPES ACROSS EUROPE FROM REFUGEES**

<http://www.dailymail.co.uk/news/article-3388422/Huge-influx-migrant-men-lead-sex-attacks-like-Cologne-says-analyst-police-reveal-gangs-blocked-reaching-women-screamed-help.html>

## **REFUGEE SUPPORTER AND MAYOR OF COLOGNE VICTIM AND HYPOCRITE**

### **COLOGNE MAYOR FIRES POLICE CHIEF OVER NEW YEARS EVE RAPES**

<http://www.thelocal.de/20160108/po>

### **COLOGNE MAYOR STABBED FOR SUPPORTING REFUGEES**

<http://www.thelocal.de/20151017/german-mayoral-candidate-stabbed-in-cologne>

### **ATTACKS ON REFUGEES IN GERMANY REACHES MORE THAN 1,000**

<http://www.dw.com/en/report-five-times-more-attacks-on-refugee-homes-in-germany-in-2015/a-19011109>

### **EU/AUSTRALIAN ISSUE**

<http://www.dailymail.co.uk/news/article-3291416/Google-defamed-Australian-woman-auto-complete.html>

<https://www.google.com/#filter=0&q=American,%20Australian,%20And%20European%20Group%20Calls%20For%20Shut%20Down%20Of%20Ripoff%20Report>

### **WE ARE NOW AT THE CENTER OF THIS CASE IN THE EU**

<http://www.wsj.com/articles/eu-to-pursue-google-parent-alphabet-on-multiple-fronts-vestager-says-1445817842>

### **RIPOFF REPORT IS THE BUSINESS AND ROLE MODEL FOR THESE CRIMINALS**

<http://www.nbcnews.com/news/crime-courts/revenge-porn-kingpin-hunter-moore-pleads-guilty-faces-jail-n313061>

<http://www.nbcsandiego.com/news/local/Kevin-Bollaert-Revenge-Porn-Sentencing-San-Diego-298603981.html>

[http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article\\_cce5e80f-786a-5f66-8763-3ecb30cadb71.html](http://siouxcityjournal.com/news/local/sac-county-attorney-dismisses-witness-tampering-case/article_cce5e80f-786a-5f66-8763-3ecb30cadb71.html)

On Fri, 10/20/06, [bayly@.de](mailto:bayly@.de) <[bayly@.de](mailto:bayly@.de)> wrote:

From: [bayly@.de](mailto:bayly@.de) <[bayly@w.de](mailto:bayly@w.de)>

Subject: FW: jerome almon

To: [REDACTED]

Date: Friday, October 20, 2006, 3:42 PM

hey jerome... how ru doing? well, received the following e-mail today.... tell me if i should give him the contacts he wants or if u wanna do it urself... my mom is here for 4 days.. been to jazz concert yesterday and will go to branford marsalis concert 2morrow... its jazz too.... and right now just got back from the adidas store... man i am addicted ;) cant go there without buying smth... even when i am broke just like right now... well, hope to hear from u...

(I refused to do the documentary below for the same reasons certain entities need to police themselves better.)

Von: "scott corben"

Gesendet: 20.10.06 12:41:27

An: [bayly@.de](mailto:bayly@.de)

Betreff: jerome almon

Hi Katja,

I got your contact details from Marie at Freemuse in Denmark. My name is Scott Corben and I am a producer with Al Jazeera Television in London.

I am researching a piece on soldier in the United States and

I am really keen to speak to a guy called Jerome Almon. I believe he is based in Detroit. Maries tells me that you may have some way of contacting him. If you have an up to date email or phone number I'd really appreciate it.

Look forward to hearing from you

best regards,

Scott

CLV000620

Producer/Director "Top Secret"  
Al-Jazeera Satellite Channel Ltd  
7th Floor Westminster Tower  
3 Albert Embankment London SE1 7SL  
Switchboard: [+44 \(0\) 207 820 4820](tel:+442078204820)  
Fax: [++44 \(0\) 207 820](tel:+442078204820)

## **BIO**

–I am a university lecturer/expert on domestic violence, international politics, terrorism, and urban crime. I worked under global experts Dr.'s Mitja Zagar (Slovenia and co-author of their Constitution/Syrian refugee & security expert/Top EU negotiator), Otto Feinstein head of the Urban Agenda and author of Ethno-Development, Richard Mansbach-CIA consultant, and worked on the UN project at the University of Toronto the Delphi Project out of Belgium. Recommendation on a security issue led to DHS changing its border policy and NYC spending \$600 million to correct a catastrophic security flaw. I have been the target of an Al Jazeera documentary due to my correct predictions as well as featured on the front page of the most visited Jihadist website on Earth for a decade.

–1 year tour in the first Iraq War, am a paratrooper, combat engineer (explosives expert, featured on A&E for saving my unit's mission during combat, and awarded directly from the Pentagon for saving my task force's mission), was drafted as a translator during the war and POW camp designer, taught my brigade basic Arabic language, numerals, and history.

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Jon Ralston  
**Sent:** Mon 6/26/2017 3:04:13 PM  
**Subject:** [Marketing Mail] Ralston Reports -- Morning Flash, 6/26/17

06.26.2017

This dispatch prepared for .

DAYS UNTIL THE 2018  
GENERAL ELECTION: 499

Good morning, everyone. More binge-watching over the weekend (This is the life I have chosen....), this one on "Sneaky Pete," recommended by several friends. It's on Amazon, and it is quite good. Fun, sleazy, great ensemble cast. It's not of "Breaking Bad" or even " Fargo" quality, but worth a look.

-----

What's below: Hellercare, CCEA-NSEA, premium wrap and a trivia question about a quote.

#### COMING UP

The IndyMatters podcast [is live](#). It's Megan and Jackie and some guy with a beard. Also: Next month, the Assembly Democrats are having town halls, North and South, about the legislative session. Make. It. Stop.

#### A TRIO OF HELLERCARE NUGGETS

Nugget No. 1 -- I've learned this morning that Danny Tarkanian is seriously mulling a U.S. Senate bid. A knowledgeable source tells me that he wants to Follow the Rosen. Could he beat Dean Heller? I don't know. Ask Michael Roberson.

Nugget No. 2 -- The DSCC [has new ads](#).

Nugget No. 3 -- [This Politico piece](#), some of it disputed by Team Heller, is brutal. Mike Allen of Axios says [Trump is giving Heller a second chance](#). Can you imagine if he flips after this story?

#### CCEA VS. NSEA, THE SAGA CONTINUES

[This is really something](#). Is the defunding coming? How can this keep going on this way?

#### PREMIUM WRAP

Lots of interesting stuff on Sunday, with no consensus on the governor's race, but consensus Dean Heller is in trouble. Also, Susie Lee for CD3? And no one thinks either legislative house will flip.

Some highlights:

► The double-edged sword: Smartest: Dean Heller asking Brian Sandoval to shield him on the healthcare bill.

Dumbest: Heller announcing he won't support the healthcare bill before the final negotiations are complete. SEIU, George Soros and Planned Parenthood aren't going to spend any less money trying to defeat him but he might get a funded primary opponent.

► So good: Heller's presser and word salad banquet. (What did he say?). Smart or stupid? Can't tell yet -- under the threadbare GOP canopy, some know-it-alls will dismiss it by proclaiming it to be a smart and pragmatic move and certainly nothing to worry about in the long run. Are they wrong? Yes. Other self-appointed mavens -- who by now are up to their molars with Heller's dips and twirls -- will sneer with disdain that this was an unnecessary and stupid move that will be remembered as Heller's final act of betrayal and broken trust. Are they right? No. And what do the Democrats think about Hellapalooza? Ask the consultants who ran the "sure-bet" campaigns in Georgia and South Carolina last Tuesday. While you're at it, ask the geniuses from Hillary For America what they think. Right. Crickets.

#### TRIVIA QUESTION OF THE DAY

This is purported to be the day in history when an actress said in Las Vegas, "You look like a goddamn XXX XXXX!" Fill in the blank, and name the actress.

CLV000622

Friday's winner: Zach Conine (again)

The question: This is the 14th anniversary of the publication of s story headlined, "In Nevada, the Name to Know is XXXX." Fill in the blanks and then tell me the five non-elected officials who were the focus of the piece.

The answer: Reid, four kids and a son in law

(As always, hat tip to William Lefkovics, my favorite historian.)

#### MOVIE TRIVIA QUESTION OF THE WEEK

Lobbyist Gabriele McGregor was first: Name the actor and the movies: He plays a whistleblower; he plays a temporary cross-dresser; he plays a down-on-his-luck salesman; and he plays a neat freak. The answer: Jack Lemmon in "The China Syndrome, " "Some Like It Hot," "Glengarry Glen Ross" and "The Odd Couple."

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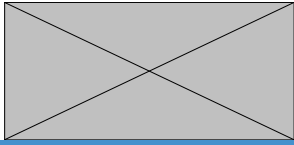
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 11/14/2017 9:15:12 AM  
**Subject:** 3 Fast Facts About Trump's Pick For HHS Chief



**PUBLIC POLICY.**

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**Tuesday, November 14, 2017**

### TOP NEWS

#### Analysis

#### **3 Fast Facts About Trump's Pick For HHS Chief**

President Donald Trump's choice for U.S. Department of Health and Human Services secretary is a whip-smart lawyer with industry-friendly impulses, measured hostility toward the Affordable Care Act, a deep background in Republican politics and a past role investigating President Bill Clinton. Here are three fast facts about Alex Azar's background and reaction to his nomination. [Read more »](#)

#### Analysis

#### **Federal Deficit Looms Large In Congress' Tax Cut Talks**

As the House and Senate tax bills hurtle through congressional committees with amendments to bring them in line with budgetary rules, a number of policy proposals may end up being decided, not on their merits, but by how they will impact the country's approximately \$20 trillion debt. [Read more »](#)

#### **Trump's Travel Ban Block Narrowed By 9th Circ.**

The Ninth Circuit on Monday nixed much of a lower court's injunction on the Trump administration's third travel ban, reinstating limitations on nationals of six countries but carving out an exception for people with family living in the U.S. or with an offer from a university or employer. [Read more »](#)

#### **Trump Taps Vet Of BigLaw, Big Pharma As Next HHS Chief**

President Donald Trump on Monday chose a veteran of BigLaw and Big Pharma to run the U.S. Department of Health and Human Services, a selection likely to invite questions about Trump's commitment to tackling drug prices. [Read more »](#)

#### **Hospitals Sue HHS Over Big Cut To 340B Drug Payments**

Hospital groups on Monday sued the U.S. Department of Health and Human Services in D.C. federal court for slashing \$1.6 billion from the 340B drug discount program, calling the cut an unlawful overreach that would "thoroughly undermine" the program. [Read more »](#)

#### **Justices Will Hear Suit Over Calif. Abortion Disclosure Law**

The U.S. Supreme Court on Monday agreed to consider whether a California law requiring clinics to tell women how to access information about low-cost contraception and abortions violates the First Amendment rights of providers who oppose abortion. [Read more »](#)

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#### **LAW FIRMS**

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Dowd Bloch  
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Earthjustice  
Fisher Phillips  
Fox Rothschild  
Greenbaum Rowe  
Hogan Lovells  
Holland & Knight  
Hunton & Williams  
Jackson Lewis  
Jenner & Block  
Jones Day  
Kirkland & Ellis  
Kobre & Kim  
Lawyers' Committee for Civil Rights

CLV000624

## GOP Senator Wants Moore Expelled If He Wins Alabama Seat

Embattled Republican Alabama Senate Candidate Roy Moore continued to take heat from GOP Senate leaders Monday over allegations from multiple women of sexual misconduct when they were teenagers, with Colorado's Cory Gardner saying Moore should be expelled should he win next month's special election. [Read more »](#)

## BANKING & SECURITIES

### Sens. Strike Deal To Raise Threshold For Tougher Bank Rules

A bipartisan group of senators on Monday unveiled a narrow deal to ease bank rules, including raising the asset level at which banks are subjected to enhanced supervision and other measures aimed at easing compliance for community banks. [Read more »](#)

### Swaps Overhaul Should Boost Market Vibrancy: CFTC Chair

An overhaul of the swaps market proposed in the 2010 Dodd-Frank Act should be reviewed to ensure that the policies enhance rather than restrict market "vibrancy," U.S. Commodity Futures Trading Commission Chairman J. Christopher Giancarlo said Monday. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Ex-EPA Attys Blast Pruitt's Sue-and-Settle Directive

U.S. Environmental Protection Agency Administrator Scott Pruitt's recent directive that the agency curb so-called sue-and-settle agreements is based on unfounded claims of EPA collusion with environmental groups, is biased in favor of industry and will likely lead to lengthier and costlier litigation, dozens of former EPA attorneys said Monday. [Read more »](#)

### Enviros Slam EPA Bid To Sever Coal Ash Issues From Case

Green groups on Monday urged the D.C. Circuit to reject the U.S. Environmental Protection Agency's request that the court remand elements of a coal ash disposal rule to the agency for reconsideration rather than decide legal challenges to them. [Read more »](#)

### Dover Makes \$7.4M Deal To Clean Up Ohio Superfund Site

Dover Chemical Corp. has agreed to a \$7.4 million cleanup effort at an Ohio Superfund site, the U.S. Department of Justice said Monday. [Read more »](#)

## HEALTH & LIFE SCIENCES

### Deadlocked Menendez Jurors Are Told To 'Clear Your Heads'

The jurors hearing the bribery trial of Sen. Bob Menendez and a Florida ophthalmologist said Monday that they were deadlocked on all charges, leading a New Jersey federal judge to tell them to break for the day, "clear your heads" and resume deliberations Tuesday morning. [Read more »](#)

### NJ Doctor Accused Of Recklessly Pushing Addictive Opioids

A family physician has been temporarily suspended after he was accused of indiscriminately prescribing medically unnecessary, highly addictive opioids to patients, the New Jersey Office of the Attorney General announced Monday. [Read more »](#)

### Health Alliance Sues For \$21M In ACA Risk Corridor Claims

Insurer Health Alliance Medical Plans has sued the federal government in the Court of Federal Claims, alleging it has been unlawfully stiffed on more than \$21 million in Affordable Care Act "risk corridor" payments it is owed for 2016. [Read more »](#)

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Mayer Brown  
McDermott Will  
Morgan Lewis  
Norris McLaughlin  
Norton Rose Fulbright  
O'Melveny & Myers  
O'Neill & Borges  
Paul Hastings  
Proskauer Rose  
Schiff Hardin  
Shook Hardy  
Sidley Austin  
Skadden  
Stephoe & Johnson LLP  
Venable LLP  
Wiley Rein  
Winston & Strawn  
Zuckerman Spaeder

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Alliance Defending Freedom  
Amazon.com Inc.  
America's Essential Hospitals  
American Airlines Group Inc.  
American Bankers Association  
American Bar Association  
American Federation of State, County and Municipal Employees  
American Hospital Association  
American International Group Inc.  
American Public Power Association  
Americans United for Life  
Apple Inc.  
Associated Electric Cooperative Inc.  
Association of American Medical Colleges  
BB&T Corporation  
Bain & Company Inc.  
Bank of America Corporation  
Better Markets Inc.  
BuzzFeed Inc.  
Cable News Network Inc.  
Cato Institute  
Center for Constitutional Rights  
Citigroup Inc.  
City Utilities of Springfield Inc.  
Computer & Communications Industry Association  
Deloitte Touche

## MEDIA & ENTERTAINMENT

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### Fla. Senate Bill Aims For Narrower Gaming Reform

A gaming reform bill filed in the Florida Senate on Monday takes a more narrow approach than the ambitious but unsuccessful efforts of recent years, but an anti-gaming group said provisions paving the way for fantasy contests and so-called designated player games raise major concerns. [Read more »](#)

### Watchdog Orgs. Urge Transparency In Online Election Ads

Technology and privacy advocacy groups told the Federal Election Commission Friday that it should require disclosures in online political ads after covert Russia-sponsored propaganda was found to have influenced the 2016 presidential election, with at least one group suggesting that broadcast advertising guidelines should apply to web content. [Read more »](#)

## EMPLOYMENT

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### Analysis

### 5 Employee Wellness Program Tips As EEOC Revisits Regs

As the U.S. Equal Employment Opportunity Commission conducts a court-ordered review of its wellness program rules, employers that offer such programs must remain cautious about not penalizing workers too harshly if they don't participate and be ready to alter their programs if the regulations change. Here, attorneys share five wellness program tips employers should keep in mind as the EEOC re-evaluates its rules. [Read more »](#)

### High Court Turns Away 4 Notable Employment Cases

The U.S. Supreme Court declined Monday to take up a few notable labor and employment cases, including suits concerning the legality of exclusive bargaining by public sector labor unions, job applicants' standing to sue under the Fair Credit Reporting Act and the National Labor Relations Board's jurisdiction over certain transportation companies. [Read more »](#)

### High Court Won't Hear Health Care Workers' Bargaining Suit

The Supreme Court on Monday declined to take up an appeal brought by day care owners and home health care workers in Illinois who challenged a state law that allows public sector unions to negotiate on their behalf even though they're not full-fledged public employees. [Read more »](#)

### USCIS Spells Out 'Function Manager' Position Guidelines

U.S. Citizenship and Immigration Services released a new adopted-decision policy memo Thursday that lays out the requirements for an immigrant to be employed as a "function manager." [Read more »](#)

## PRIVACY & CYBERSECURITY

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### House OKs Increased Market Data Security Requirements

Citing an increased risk from data breaches, the U.S. House of Representatives approved a bill Monday that would increase security requirements for market data held by the Securities and Exchange Commission and the Financial Industry Regulatory Authority. [Read more »](#)

## GOVERNMENT CONTRACTS

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### House Passes Bill Expanding Agency Acquisition Options

The House of Representatives passed a bill Monday that would alter how federal agencies weigh the cost of renting equipment against purchasing it when making buying decisions. [Read more »](#)

Deutsche Post  
Edison Electric Institute Inc.  
Electronic Privacy Information Center  
Eli Lilly and Company  
Ernst & Young  
Facebook  
FedEx Corporation  
Financial Industry Regulatory Authority Inc.  
Florida Power & Light Co.  
Fordham University  
Goldman Sachs Group Inc.  
Google Inc.  
H. J. Heinz Company  
Human Rights Campaign  
ICC Industries  
Independent Community Bankers of America  
International Swaps and Derivatives Association  
JPMorgan Chase & Co.  
Kraft Foods Inc.  
Lawyers' Committee for Civil Rights Under Law  
Lehman Brothers Holdings Inc.  
LinkedIn Corp.  
Long Island Rail Road Co.  
Lyft Inc.  
NAACP Legal Defense and Educational Fund Inc.  
National Collegiate Athletic Association  
National Federation of Independent Business  
National Right to Work Legal Defense Foundation  
National Rural Electric Cooperative Association  
National Women's Law Center  
New York Times Co.  
Nomura Holdings, Inc.  
Pacific Legal Foundation  
Planned Parenthood Federation  
PricewaterhouseCoopers  
Public Broadcasting Service  
Reed Elsevier  
Regions Financial Corporation  
SIFMA  
Schlumberger Limited  
Service Employees International Union  
Sierra Club  
Spectrum Communications Inc.

CLV000626

## INTERNATIONAL TRADE

### Analysis

#### TPP Revival Effort Leaves US Out In The Cold

The 11 countries still under the Trans-Pacific Partnership umbrella revived the beleaguered pact over the weekend with tweaks to its intellectual property and shipping provisions, in a move that experts say will leave the U.S. vulnerable in the crucial Asia-Pacific region as the Trump administration narrows its trade focus. [Read more »](#)

#### US, Vietnam Announce \$12 Billion In New Trade Deals

President Donald Trump and Vietnamese President Tran Dai Quang announced \$12 billion in new trade deals during a visit by Trump to Hanoi, Vietnam, this weekend, with both leaders vowing to deepen trade ties and cooperation between the two nations, according to an announcement by the White House Monday. [Read more »](#)

## TAX

#### House And Senate Divided Over Property Tax Deduction

Just days after the Senate unveiled its version of tax reform legislation, House Ways and Means Committee Chairman Kevin Brady said the measure wouldn't pass in the lower chamber unless it includes some level of relief for property taxes. [Read more »](#)

#### Senate Dems Cry Foul Over Tax Reform Process

Democrats on the Senate Finance Committee accused their Republican colleagues Monday of shutting them out of the tax reform process during the opening hearing for a bill that would slash \$1.5 trillion in taxes over the next decade. [Read more »](#)

#### Senate Tax Bill Squeaks Under \$1.5T Deficit Cap, Report Says

A recent report by the Joint Committee on Taxation found that the Senate Republicans' tax overhaul bill would deplete federal coffers by slightly less than the \$1.5 trillion limit for passing the measure under fast-track rules, but additional revenue losses after 10 years could still present a roadblock. [Read more »](#)

#### Big 4 Corp. Clients Likelier To Use Tax Havens, Study Says

Companies that use one of the Big Four accounting firms are more likely to allocate income to alleged tax havens — even if they don't use the firms for tax planning, according to a study released Monday by activist group Tax Justice Network. [Read more »](#)

## BANKRUPTCY

#### Puerto Rico Gov't Wins Autonomy Fight Over Electric Co.

The judge presiding over Puerto Rico's historic restructuring proceedings ruled Monday that the territory's insolvent electric company will remain under local government control as it restructures \$9 billion worth of debt and addresses operational weaknesses, blocking a federal panel from installing an emergency manager to run the utility. [Read more »](#)

## IMMIGRATION

#### High Court Urged To Review Convicted Resident's Deportation

A Dominican man who is a lawful permanent resident of the U.S. has urged the U.S. Supreme Court to review his bid to cancel a removal order after he tried to re-enter the country after a brief vacation with a record of prior convictions for drug offenses. [Read more »](#)

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State Street Corp.

The Royal Bank of Scotland Group PLC

Twitter Inc.

Washington Post Co.

Wells Fargo & Co.

Yelp Inc.

## GOVERNMENT AGENCIES

Alabama Attorney General's Office

Bureau of Citizenship and Immigration Services

Bureau of Reclamation

Centers for Medicare & Medicaid Services

Committee on Foreign Investment in the United States

Commodity Futures Trading Commission

Congressional Budget Office

Consumer Financial Protection Bureau

Equal Employment Opportunity Commission

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Election Commission

Federal Financial Institutions Examination Council

Federal Reserve System

Federal Trade Commission

Florida State Senate

Food and Drug Administration

Government Accountability Office  
NAFTA

National Labor Relations Board

National Mediation Board

National Railroad Passenger Corporation

New York Attorney General's Office

Office of the Comptroller of the Currency

Office of the Director of National Intelligence

Securities and Exchange Commission

Seminole Tribe of Florida

Texas Department of Transportation

Transportation Security

CLV000627

## Rep. Slams Rejection Of DACA Applications Delayed In Mail

An Illinois congressman said Friday that it was “unacceptable” for federal officials to deny at least 21 renewal applications for the endangered Deferred Action for Childhood Arrivals program that were sent on time but apparently mishandled by the U.S. Postal Service. [Read more »](#)

### NATIVE AMERICAN

## FCC Hires Head For Tribal Affairs Policy Office

The Federal Communications Commission has hired an experienced attorney and policy analyst with a background in energy and Indian water-rights issues to direct the office overseeing the deployment of telecommunications throughout Indian Country, the agency announced Monday. [Read more »](#)

### CIVIL RIGHTS

## Legal, Civil Rights Groups Chime In On High Court Cake Row

A host of civil rights organizations including legal-oriented advocacy groups has urged the U.S. Supreme Court to reject a Christian baker's contention that his First Amendment rights enabled him to overstep state discrimination laws when he refused to make a cake for a same-sex couple's wedding. [Read more »](#)

### WHITE COLLAR

## JPMorgan, FCA Whistleblower Get Testy Welcome At DC Circ.

A D.C. Circuit panel on Monday greeted a would-be whistleblower with a flurry of questions on the underlying nature of his False Claims Act suit against JPMorgan Chase as he tries to revive accusations that the company failed to live up to responsible mortgage lending obligations agreed to under a post-financial crisis settlement. [Read more »](#)

### PEOPLE

## Senate Approves Lyft GM For Senior DOT Role

The Senate confirmed Lyft Inc.'s general manager for the number three spot at the U.S. Department of Transportation on Monday, sending President Donald Trump's pick Derek Kan to head the department's policy arm. [Read more »](#)

## Fla. City Attorney Leaving For US Labor Dept. Job

The city attorney for Coral Gables, Florida, is departing to take a position with the U.S. Labor Department after six years in which he helped grow the city attorney's office and built a reputation for defending home rule rights and inclusion for the disabled, according to city leaders. [Read more »](#)

## Trump Nominates Holland & Knight Partner To Be GC Of DNI

A Holland & Knight LLP partner with years of government experience in counterterrorism, government procurement and regulatory compliance was named by President Donald Trump on Monday for a position as the top lawyer for the Office of the Director of National Intelligence. [Read more »](#)

### EXPERT ANALYSIS

## New Bipartisan CFIUS Reform Begins To Take Shape

The Foreign Investment Risk Review Modernization Act of 2017 introduced last week is intended to strengthen the Committee on Foreign Investment in the United States and address the committee's perceived inadequacies. If enacted, this

Administration  
U.S. Coast Guard  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Postal Service  
U.S. Senate  
U.S. Supreme Court  
United Nations  
World Trade Organization



legislation would reflect the most significant changes to CFIUS in the last decade, say attorneys with Kirkland & Ellis LLP. [Read more »](#)

### **How Tax Reform Could Impact The Health Care Industry**

The U.S. House and Senate have now both detailed their tax reform plans, and both plans could have significant effects on the health care industry. Lower corporate tax rates could benefit companies in the health sector, but changes to the orphan drug tax credit and medical expense deduction would be damaging, say attorneys at Debevoise & Plimpton LLP. [Read more »](#)

### **Gov't Use Of Travel Act To Charge Corruption Might Backfire**

Federal prosecutors may be hoping that Travel Act charges against the NCAA basketball coaches and others avoid the U.S. Supreme Court's narrowing of federal corruption statutes. But by using state corruption laws in these cases, federal prosecutors risk having *McDonnell v. U.S.* extend to state crimes and crippling local corruption prosecutions everywhere, say Elizabeth Capel and Brandon Fox of Jenner & Block LLP. [Read more »](#)

### **CFPB Financial Data Principles: Whose Data Is It Anyway?**

The Consumer Financial Protection Bureau recently released guidance addressing consumer protection principles for consumer-authorized financial data sharing and aggregation. Attorneys with Mayer Brown LLP discuss what the new guidance entails and what it may mean for consumers, fintech companies and the financial services industry. [Read more »](#)

### **Core Functions And Cooperative Federalism At The EPA**

The U.S. Environmental Protection Agency's recently released draft strategic plan for 2018-2022 starkly narrows the items on which the EPA will focus its resources and turns the agency's back on many objectives contained in the previous plan — things that the Trump administration and Administrator Scott Pruitt believe should not be done at all, says Dan Jordanger of Hunton & Williams LLP. [Read more »](#)

#### **Financial Crisis Anniversary**

### **Dodd-Frank And Deregulation: Some Lessons From History**

The Dodd-Frank Act, while imperfect, addressed what actually did cause the financial crisis: unreasonable risk-taking, low capital and high leverage, shadow banking, and much more. The evidence is overwhelming that financial reform is working, that the risk of a crash in the U.S. is greatly reduced, and that banks are highly profitable, says Dennis Kelleher, president of Better Markets Inc. [Read more »](#)

## **LEGAL INDUSTRY**

### **BigLaw's 2017 Profits May Suffer Due To Salary Hikes**

Law firms may be on course to have a down year, according to the results of a survey published Monday, with financial results for the first three quarters of the year revealing a slowdown in revenue growth and an uptick in expenses across the industry due to recent associate salary hikes. [Read more »](#)

#### **Analysis**

### **Why Law Firm Leaders Should Embrace The Limelight**

Building a highly recognizable and respected brand as a law firm leader is difficult in today's legal industry, but doing so is likely worth the effort. Here, Law360 looks at the benefits of embracing the limelight and shaping a strong public image. [Read more »](#)

### **Trump Court Pick Knocked For Keeping Mum On Wife's Job**

A Trump pick for the federal bench in Alabama "betrayed his obligation to be open and transparent" in the judicial confirmation process by failing to mention that his wife is a White House lawyer, California Sen. Dianne Feinstein said Monday. [Read more »](#)

### **15 Minutes With Kraft Heinz Co.'s General Counsel**

Jim Savina joined Kraft Foods Group in 2013 as associate general counsel, and two years later, became its deputy general counsel, helping to oversee its 2015 merger with H. J. Heinz Co. [Read more »](#)

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Crowell & Moring  
Cullen Law Firm  
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Debevoise & Plimpton  
Dechert  
Dentons  
Dowd Bloch  
Drinker Biddle  
Earthjustice  
Fisher Phillips  
Fox Rothschild  
Greenbaum Rowe  
Jackson Lewis  
Jenner & Block  
Kobre & Kim  
Lawyers' Committee for Civil Rights  
Locke Lord  
Mayer Brown  
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Morgan Lewis  
Norris McLaughlin  
Norton Rose Fulbright  
O'Melveny & Myers  
O'Neill & Borges  
Paul Hastings  
Proskauer Rose  
Schiff Hardin  
Shook Hardy  
Sidley Austin  
Skadden  
Steptoe & Johnson LLP

Venable LLP  
Winston & Strawn  
Zuckerman Spaeder

## COMPANIES

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LinkedIn Corp.  
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American Federation of State, County and Municipal Employees  
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Eli Lilly and Company  
Financial Industry Regulatory Authority Inc.  
JPMorgan Chase & Co.  
National Right to Work Legal Defense Foundation  
New York Times Co.  
Service Employees International Union  
Airbnb Inc.  
Amazon.com Inc.  
America's Essential Hospitals  
American Airlines Group Inc.  
American Bankers Association  
American Hospital Association  
American International Group Inc.  
American Public Power Association  
Americans United for Life  
Apple Inc.  
Associated Electric Cooperative Inc.  
Association of American Medical Colleges  
BB&T Corporation  
Bain & Company Inc.  
Bank of America Corporation  
Better Markets Inc.  
BuzzFeed Inc.  
Cable News Network Inc.  
Center for Constitutional Rights  
Citigroup Inc.  
City Utilities of Springfield Inc.  
Computer & Communications Industry Association  
Deutsche Post  
Edison Electric Institute Inc.  
Electronic Privacy Information Center  
Ernst & Young  
Facebook  
FedEx Corporation  
Florida Power & Light Co.  
Fordham University  
Goldman Sachs Group Inc.  
Google Inc.  
H. J. Heinz Company



Human Rights Campaign  
ICC Industries  
Independent Community Bankers of America  
International Swaps and Derivatives Association  
Kraft Foods Inc.  
Lawyers' Committee for Civil Rights Under Law  
Lehman Brothers Holdings Inc.  
Long Island Rail Road Co.  
Lyft Inc.  
NAACP Legal Defense and Educational Fund Inc.  
National Collegiate Athletic Association  
National Federation of Independent Business  
National Rural Electric Cooperative Association  
National Women's Law Center  
Nomura Holdings, Inc.  
Pacific Legal Foundation  
Planned Parenthood Federation  
PricewaterhouseCoopers  
Public Broadcasting Service  
Reed Elsevier  
Regions Financial Corporation  
SIFMA  
Schlumberger Limited  
Sierra Club  
Spectrum Communications Inc.  
Spokeo Inc.  
State Street Corp.  
The Royal Bank of Scotland Group PLC  
Washington Post Co.  
Wells Fargo & Co.  
Yelp Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
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Securities and Exchange Commission  
U.S. Department of Health and Human Services  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
Bureau of Citizenship and Immigration Services  
Centers for Medicare & Medicaid Services  
Consumer Financial Protection Bureau  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Reserve System  
Government Accountability Office  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Senate

Alabama Attorney General's Office  
Bureau of Reclamation  
Committee on Foreign Investment in the United States  
Commodity Futures Trading Commission  
Congressional Budget Office  
Equal Employment Opportunity Commission  
Executive Office of the President  
Federal Communications Commission  
Federal Financial Institutions Examination Council  
Federal Trade Commission  
Florida State Senate  
NAFTA  
National Labor Relations Board  
National Mediation Board  
National Railroad Passenger Corporation  
New York Attorney General's Office  
Office of the Comptroller of the Currency  
Office of the Director of National Intelligence  
Seminole Tribe of Florida  
Texas Department of Transportation  
Transportation Security Administration  
U.S. Coast Guard  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Transportation  
U.S. Immigration and Customs Enforcement  
U.S. Postal Service  
United Nations  
World Trade Organization

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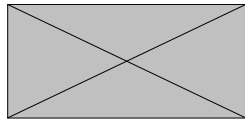
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 3/17/2016 8:24:00 AM  
**Subject:** [Marketing Mail] Garland's High Court Nomination Battle Likely To Drag On



**PUBLIC POLICY**

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**Thursday, March 17, 2016**

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## **TOP NEWS**

### **Garland's High Court Nomination Battle Likely To Drag On**

U.S. Supreme Court nominee Judge Merrick B. Garland may be the most palatable nominee for the vacancy opened by Justice Antonin Scalia's death, but he still faces an uphill, slow Senate battle as Republicans stand firm on their refusal to consider any nominee until after the presidential election.

### **Obama Picks Garland To Fill High Court Seat**

President Barack Obama on Wednesday nominated D.C. Circuit Chief Judge Merrick B. Garland to fill the U.S. Supreme Court seat left vacant by the unexpected death of Justice Antonin Scalia, plunging Garland into the middle of a bitter political battle over the vacancy.

### **Judge Garland Could Bring New Consensus To High Court**

Should D.C. Circuit Chief Judge Merrick B. Garland manage to get through the highly contentious U.S. Supreme Court nomination process before him, the "judges' judge" would bring a calming voice and a penchant for inquisitive questioning that could build new consensus among the high court, despite his slightly left-of-center bent on some issues, several experts contend.

### **In His Own Words: 4 Key Garland Opinions**

Chief Judge Merrick Garland has presided over some of the most contentious issues in American law during his 19 years on the D.C. Circuit, establishing a reputation more for his judicial thoroughness than a clear political philosophy, according to court observers. Here, Law360 highlights four of Judge Garland's noteworthy opinions and dissents that may shed light on his jurisprudence.

### **Attorneys Weigh In On Obama's Supreme Court Pick**

President Barack Obama nominated D.C. Circuit Chief Judge Merrick B. Garland on Wednesday to become the next associate justice on the U.S. Supreme Court, aiming to fill the vacancy left by Justice Antonin Scalia's death. Here, attorneys tell Law360 what kind of justice they believe Judge Garland could be and the challenges he faces from Senate Republicans.

### **GOP Leaders Grill Labor Secretary On Joint-Employer Moves**

U.S. Labor Secretary Thomas Perez fended off congressional concerns at a hearing Wednesday that a requested increase in the Wage and Hour Division's budget will be used to designate companies joint employers of their franchisees' workers.

### **Chicago Voters Oust State's Attorney In Primary Race**

After months of protests, anger and incredulity over the way Cook County State's Attorney Anita Alvarez has handled the issue of police brutality in Chicago, voters took action Tuesday by giving the Democratic nomination to a new candidate who has vowed to upend the county's judicial system.

### **6 Attys Tapped For Federal Judicial Vacancies In Texas, NY**

## **LAW FIRMS**

Andrews Kurth  
Arnold & Porter  
BakerHostetler  
Bancroft PLLC  
Barnes & Thornburg  
Becker & Poliakoff  
Berwin Leighton  
Blackwell Burke  
Boies Schiller  
BuckleySandler  
Cadwalader Wickersham  
Carroll Burdick  
Chamberlain Hrdlicka  
Cleary Gottlieb  
Covington & Burling  
Cravath Swaine  
Crowe & Dunlevy  
Crowell & Moring  
Dewey & LeBoeuf  
Diamond McCarthy  
Dilworth Paxson  
Dorsey & Whitney  
Earthjustice  
Epstein Becker Green  
Fish & Richardson  
Fisher & Phillips  
Fried Frank  
Gardere Wynne Sewell  
Gibson Dunn  
Gibson McAskill  
Goldberg Segalla  
Goodwin Procter  
Greenberg Traurig  
Herbert Smith Freehills  
Hickey & Evans  
Hogan Lovells  
Holland & Knight  
Hunton & Williams  
Husch Blackwell

CLV000634

The White House nominated three magistrate judges, an assistant U.S. attorney and two private law firm partners on Tuesday to serve on three federal district courts in Texas and one in New York.

## ANALYSIS

### Garland Could Be Agency Ally In Energy, Enviro Rule Fights

The willingness of D.C. Circuit Chief Judge Merrick B. Garland, President Barack Obama's nominee for the U.S. Supreme Court, to defer to the judgment of federal regulators will likely aid the government in its defense of controversial energy-related regulations such as the U.S. Environmental Protection Agency's Clean Power Plan, experts say.

### CDC's Opioid Stance Hurts Drug Cos. In Marketing Suits

The U.S. Centers for Disease Control and Prevention's latest push to decrease the prevalence of opioid painkillers primarily targets the prescribing habits of physicians, but opioid manufacturers will also feel its sting when plaintiffs brandish the high-profile agency's guidelines emphasizing the drugs' addictiveness to argue that their marketing was negligent or deceitful, attorneys say.

### Fla. Lawmakers' Inaction Leaves Muddy Road For Uber

With the Florida Legislature completing its annual session last week without passing regulations for ride-hailing services such as Uber and Lyft, controversies over insurance, background checks and other requirements will return to local government agendas and courtrooms, according to attorneys.

## BANKING & SECURITIES

### Yellen Pushes Senate To Approve Fed Nominees

Federal Reserve Chair Janet Yellen on Wednesday urged the Senate to move forward with President Barack Obama's nominations for two vacant seats on the central bank's board of governors.

### House Urges 2nd Circ. To Toss SEC Insider Trading Subpoena

The U.S. House Ways and Means Committee asked the Second Circuit on Wednesday to block the U.S. Securities and Exchange Commission from probing whether a former staffer leaked health care legislation developments to a Wall Street analyst.

### Ex-UN Diplomat Pleads Guilty In NY Bribery Case

A former deputy United Nations ambassador from the Dominican Republic pled guilty to criminal bribery charges in New York federal court on Wednesday, admitting that he funneled corrupt payments to the former president of the U.N. General Assembly.

### CFTC To Finalize Automated Trading, Cyber Rules This Year

The chairman of the U.S. Commodity Futures Trading Commission said Wednesday the agency plans to finalize new rules on cybersecurity and automated trading this year, despite concerns raised over due process and potential trade secret leaks.

## ENERGY & ENVIRONMENTAL

### Wyo. Energy Group Denied Voice In BLM Fracking Rule Row

A Wyoming magistrate judge on Tuesday declined to let a petroleum trade association weigh in on a challenge to a Bureau of Land Management rule governing fracking on federal and tribal land, saying the gas and petroleum industry is already well represented by two trade groups contesting the rule.

Johns Marrs  
Jones Day  
Kasowitz Benson  
Kaye Scholer  
Kramer Levin  
Kramon & Graham  
Leesfield Sclaro  
Lewis Hansen  
Mayer Brown  
McGuireWoods  
Miller Starr  
Morris James  
Morrison & Foerster  
Munger Tolles  
Norton Rose Fulbright  
Paul Weiss  
Phillips Nizer  
Pulman Cappuccio  
Richards Layton  
Ropes & Gray  
Rosenberg & Estis  
Sanford Heisler  
Schiff Hardin  
Schnader Harrison  
Seyfarth Shaw  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Susman Godfrey  
Sutherland Asbill  
Troutman Sanders  
Wachtell Lipton  
Weiss Serota  
Whiteford Taylor  
Wilkinson Walsh  
Wilson Sonsini

## COMPANIES

3M Company  
AT&T Inc.  
Actavis PLC  
Adobe Systems Incorporated  
Air Transport Association of America  
Airbnb Inc.  
Allianz SE  
Allstate Corporation  
American Bar Association  
American Cable Association  
American Civil Liberties Union  
American Farm Bureau Federation  
American Petroleum Institute Inc.

## 6th Circ. Hurries En Banc Petitions In Water Rule Row

The Sixth Circuit on Wednesday, citing the “nationwide importance” of the issue, trimmed the time parties have to file petitions for en banc review in litigation over the U.S. Environmental Protection Agency’s rule that clarifies the scope of federal jurisdiction under the Clean Water Act.

## HEALTH & LIFE SCIENCES

### Anthem, Symantec Pros Named To Health Cybersecurity Panel

The U.S. Department of Health and Human Services on Wednesday tapped privacy experts from Anthem Inc., Merck & Co., Stryker Corp., Symantec Corp., FireEye Inc. and a dozen other organizations to serve on a task force that will be charged with developing cybersecurity recommendations for the health care industry.

### Medical Marijuana Bill Clears Pa. House

Pennsylvania’s House of Representatives on Wednesday passed a measure that would legalize certain forms of medical marijuana, 10 months after the state Senate signed off on an earlier version of the measure.

## IP & TECHNOLOGY

### Cyber Command Needs Silicon Valley Input, Official Says

U.S. Cyber Command's head argued for further cooperation with private sector companies at a House budget hearing Wednesday, saying that as the U.S. Department of Defense ramps up its cyberspace capabilities, it must draw on expertise from companies in Silicon Valley and elsewhere.

### Lawsuits May Follow Pa. Gas Royalty Bill, Legislators Warned

An EQT Corp. attorney warned a Pennsylvania legislative committee on Tuesday that legal challenges would be the likely result of a bill aimed at preventing drilling companies from deducting post-production costs from royalty payments landowners receive for leasing their subsurface rights.

### FDA Stand On Drug-Combo Exclusivity Was Valid, Judge Says

A now-defunct U.S. Food and Drug Administration policy limiting exclusivity for drugs that combine original and previously approved active ingredients was reasonable, but a revised policy may have to be applied retroactively, a D.C. federal judge ruled Tuesday.

## TRANSPORTATION & INFRASTRUCTURE

### FAA Struggling To Reduce Drone Safety Risks, Congress Told

The expanding flurry of drone flights in the nation's skies confronts the Federal Aviation Administration with one of its biggest safety challenges in decades, and it's struggling to respond effectively, an inspector general told a congressional panel Wednesday.

### DOT Wants DC Circ. To Nix Oil Train Safety Dispute

The U.S. Department of Transportation has asked the D.C. Circuit to toss a rail and oil industry challenge to new brake system requirements for trains transporting crude oil, saying the suit is “unripe” in light of the recently passed FAST Act.

### Senate Commerce Committee Clears FAA Reauthorization Bill

The Senate Commerce Committee announced the passage Wednesday of its more modest bill to reauthorize the Federal Aviation Administration that only funds the agency through fiscal year 2017 and doesn't spin off the nation's air traffic control system into an independent, nonprofit-run corporation that a House

Anthem Inc.  
Archer Daniels Midland Co.  
Association of American Railroads  
Association of Corporate Counsel  
Bank of Hawaii Corporation  
Bayer AG  
CACI International Inc.  
CME Group Inc.  
Cambridge Investment Research Inc.  
Cardinal Health Inc.  
Chesapeake Energy Corporation  
Chevron Corporation  
Chicago Cubs  
Community Health Systems, Inc.  
Consumer Watchdog  
Delaware State Bar Association  
EQT Corporation  
Electronic Frontier Foundation  
Electronic Privacy Information Center  
Endo International Plc  
Excellus BlueCross BlueShield  
Facebook  
FedEx Corporation  
Ferring Pharmaceuticals Inc.  
Financial Industry Regulatory Authority Inc.  
Flextronics International Ltd.  
Friedman LLP  
GSI Commerce, Inc.  
Gilead Sciences Inc.  
Google Inc.  
Height Securities LLC  
Hewlett Packard Co.  
Humana Inc.  
International Bancshares Corporation  
International Finance Corp.  
Kaiser Permanente  
LPL Financial Holdings Inc.  
Lyft Inc.  
MSCI, Inc.  
Merck & Co Inc.  
Murray Energy Corp.  
National Association of Home Builders  
National Rifle Association of America  
Natural Resources Defense Council  
NetApp, Inc.  
New York Times Co.

panel has proposed.

### **Pa. Justices To Mull Philly Anti-Discrimination Law's Reach**

The Pennsylvania Supreme Court agreed Tuesday to consider whether the regional transportation agency serving the greater Philadelphia region could be bound by the city's anti-discrimination ordinance.

## **EMPLOYMENT**

### **NJ Mayors Call For Statewide \$15 Minimum Wage By 2021**

Newark Mayor Ras Baraka joined two state mayor organizations Wednesday in calling for legislators to raise the minimum wage to \$15 statewide by 2021, with the mayor promising that all municipality employees in his city will see the increase by 2018, a spokesman for advocacy group New Jersey Working Families Alliance confirmed.

### **OSHA Sets Rules For Dodd-Frank Whistleblowers**

The Occupational Safety and Health Administration on Wednesday issued its final rule governing its procedures for retaliation complaints under the whistleblower provisions of the Consumer Financial Protection Act of 2010, which protect workers involved in offering or providing consumer financial products or services.

## **PRIVACY & CONSUMER PROTECTION**

### **Pa. Court Axes 2nd Bid To Release AG's Porn Email Stash**

The Pennsylvania Commonwealth Court issued a second ruling on Tuesday rejecting a newspaper's attempt to use state open record laws to gain access to a stash of explicit emails discovered on servers in the Office of Attorney General as part of an internal investigation.

### **FCC Well-Positioned To Take On Privacy, Official Says**

The Federal Communications Commission is the agency best suited to step into the gap on consumer protection for information collected by broadband providers, and new privacy rules will complement existing privacy laws and regulations across sectors, the FCC's chief of staff said Wednesday.

### **'Privacy Shield' Data Transfer Deal Needs More Work, EU Told**

A coalition of more than two dozen advocacy groups on Wednesday urged European Union leaders to send back to the drawing board the new trans-Atlantic "Privacy Shield," arguing that "substantial reforms" to U.S. surveillance laws and stronger privacy pledges are needed to make the data transfer pact work.

### **Cordray Says CFPB Enforcement Not End Run On Rule-Making**

Consumer Financial Protection Bureau Director Richard Cordray defended his agency's enforcement policies Wednesday, saying they were not being used as a substitute for regulation but instead were being deployed as a deterrent to practices that could harm consumers.

## **GOVERNMENT CONTRACTS**

### **Military Brass Defend 'Tough Choices' In 2017 Budget**

Military service chiefs defended to a House panel Wednesday the "tough choices" they had to make to put together the \$583 billion 2017 defense budget, including forgoing F-35 fighter purchases and holding off major programs like nuclear triad modernization.

### **Fattah Not Immune From Bribery Charges, Pa. Judge Says**

Rep. Chaka Fattah, D-Pa., lost his bid to peel conspiracy and bribery charges from his corruption indictment Wednesday after a Pennsylvania federal judge held that

New York University

Newegg Inc.

Oracle Corporation

Pfizer Inc.

Premiera Blue Cross

Purdue Pharma LP

Quest Diagnostics Incorporated

Rue La La Inc.

Sierra Club

Southeastern Pennsylvania

Transportation Authority

Stryker Corporation

Sutter Health

Symantec Corporation

Teva Pharmaceutical Industries  
Limited

The European Bank for  
Reconstruction & Development

Toys 'R' Us

Uber Technologies Inc.

Verizon Communications

Wal-Mart Stores Inc.

Yahoo! Inc.

Zogenix Inc.

## **GOVERNMENT AGENCIES**

Army Corps of Engineers

Bureau of Citizenship and  
Immigration Services

Bureau of Indian Affairs

Bureau of Land Management

Centers for Disease Control and  
Prevention

Commodity Futures Trading  
Commission

Consumer Financial Protection  
Bureau

Department of Agriculture

Department of Commerce

Department of Health and Human  
Services

Department of Homeland Security

Department of Labor

Department of the Interior

Environmental Protection Agency

Equal Employment Opportunity  
Commission

European Commission

Federal Aviation Administration

Federal Communications  
Commission

Federal Highway Administration

Federal Judicial Center

Federal Reserve System

CLV000637



the U.S. Constitution did not shield the legislator's alleged attempts to return political and financial favors through official acts.

## INTERNATIONAL TRADE

### CFTC Cements Swaps Clearing Framework With EU

The U.S. Commodity Futures Trading Commission formally declared Wednesday that certain European Commission regulations concerning the central clearing of swaps agreements and other instruments are equivalent to the CFTC's, facilitating derivatives trading among companies on opposite sides of the Atlantic.

## TAX

### Chicago Hikes Taxes On Tobacco, Cuts Them On Tampons

Chicago will no longer tax feminine hygiene products but will tax cigarette alternatives at a higher rate, following Wednesday's meeting of the full city council that also raised the smoking age to 21 and banned sports stars from chewing tobacco on the field.

### UK Budget Would Cut Corporate, Capital Gains Tax Rates

U.K. Chancellor George Osborne on Wednesday unveiled a budget proposal that would reduce the tax rates on corporations and capital gains from investments while imposing a new tax on sugary beverages and further cutting tax benefits for banks.

## BANKRUPTCY

### Argentine Lawmakers Move Toward Funding \$6.5B Debt Deal

The lower house of Argentina's legislature passed a measure Wednesday that paves the way for the deadbeat country to pay some \$6.5 billion to holdout bondholders, according to news reports, in a victory for President Mauricio Macri's plan to end the fight over the country's 2001 default on some \$90 billion in debt.

## IMMIGRATION

### Refugee Program Reform Bill Passes House Committee

The House Judiciary Committee on Wednesday approved legislation to tighten a program for refugees seeking asylum in the U.S. that Chairman Bob Goodlatte, R-Va., and other lawmakers say will mitigate fraud and strengthen public safety and national security.

### USCIS Opens A Door For Needed Medical Specialists

U.S. Citizenship and Immigration Services has adopted as policy a decision that extended the so-called physician national interest waiver for doctors seeking visas to medical specialists willing to practice in areas of need, not just primary care physicians.

## NATIVE AMERICAN

### NIGC Fills Up With Appointment Of New Commissioner

The National Indian Gaming Commission is now operating with its full complement of commissioners after U.S. Department of the Interior Secretary Sally Jewell appointed department attorney Kathryn Isom-Clause as an NIGC associate commissioner on Tuesday.

## TELECOMMUNICATIONS

Federal Trade Commission  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
NATO  
National Indian Gaming Commission  
National Institute of Standards and Technology  
National Labor Relations Board  
National Security Agency  
Occupational Safety and Health Administration  
Office of Management and Budget  
Pipeline and Hazardous Materials Safety Administration  
Securities and Exchange Commission  
U.S. Air Force  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Justice  
U.S. Department of Transportation  
U.S. House of Representatives  
U.S. Navy  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court  
United Nations  
Ute Indian Tribe  
Wage and Hour Division  
World Bank Group

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### **AT&T Slams Competitive Carriers As 'Hell Bent' On Regulation**

AT&T said in a blog post Wednesday that newer carriers are attempting to push the Federal Communications Commission to slap "old fashioned, monopoly-era rate regulation" on a thriving market, saying it would actually have the effect of reducing real competition.

### **Verizon Praises FCC Set-Top Box Intent But Urges Caution**

Verizon has warned the Federal Communications Commission that it must tread carefully with its set-top box proposal that could force multichannel video distributors to allow competitive devices or apps to access programming, saying it could have "unintended consequences" even if well-intentioned.

### **Small-ISP Exemption To Neutrality Rules Sails Through House**

The U.S. House of Representatives unanimously passed a bill Wednesday exempting Internet service providers with up to 250,000 subscribers from enhanced disclosure requirements under the Federal Communications Commission's new net neutrality rules, a move championed by small businesses wary of regulatory burden.

## **TEXAS**

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### **Wal-Mart Keeps Liquor Seller Out Of Texas Permit Suit**

A Texas federal judge on Tuesday denied a bid by Gabriel Investment Group — the only public corporation in the state allowed to hold a permit for packaged liquor sales — to intervene in Wal-Mart's suit over the constitutionality of the state's ban on public companies selling liquor, finding that it wasn't filed in time.

## **PENNSYLVANIA**

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### **AG Wrongdoing Investigator Bill Advances In Pa.**

Pennsylvania's Senate Judiciary Committee unanimously advanced legislation Tuesday to re-establish rules enabling special prosecutors to investigate wrongdoing by an attorney general or other office personnel, in response to questions invoked by the Kathleen Kane prosecution.

## **EXPERT ANALYSIS**

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### **OPINION: Missed Opportunity In Supreme Court Nomination**

Not a single Asian-American has ever been nominated to the U.S. Supreme Court. Given the plethora of highly qualified Asian-American candidates, President Obama had a chance to show that he and the Democratic Party view Asian-Americans as truly having a seat at the table. He also could have added to the substantive expertise of the court in two important areas — IP rights and privacy, says Lee Cheng, chief legal officer of Newegg.com Inc.

### **Changing Climate: What The Paris Accord Means For Russia**

My participation in the Paris climate conference showed that over 99 percent of the negotiators, experts and stakeholders have a very unclear vision of what the 2 degree Celcius limit to average global temperature rise means for economic changes. For the many countries with very pragmatic policymaking, including Russia, the current incentives arising from the Paris deal are not sufficient at all, says environmental economist George Safonov, who served on Russia's delegation to the Paris climate summit.

### **DOL Fiduciary Rule Has Financial Service Cos. In A Flurry**

Even before its likely implementation, the U.S. Department of Labor's proposed fiduciary rule is having a significant impact. As the financial services industry



awaits the final language, some firms are already taking concrete steps to prepare, such as emphasizing fee-based product offerings at the expense of commission-based products or even exiting the broker-dealer space altogether, say attorneys at Norton Rose Fulbright.

### **Surprise! 'Soft' Insurance Fraud Is Punishable By Prison**

The New Jersey high court's decision in *State of New Jersey v. Robert Goodwin* has received attention for the seemingly harsh penalties imposed on a convicted perpetrator of soft insurance fraud. But as severe as a prison sentence might seem, such punishment for "fraud of opportunity" is not unique to New Jersey, say Christian Cavallo and Silje Roalsvik at Golberg Segalla LLP.

### **The Grandfathering Clock: Zoning And Nonconforming Uses**

In New York, when a zoning designation is changed from commercial to residential, existing commercial uses are considered grandfathered and may continue to operate even though no longer permitted by the new residential zoning — but in order to keep this status, property owners must keep their eye on the continuous use clock, says Frank Chaney at Rosenberg & Estis PC.

## **LEGAL INDUSTRY**

### **Chief DC District Judge Sued For Rape, Abruptly Retires**

Chief D.C. federal district Judge Richard W. Roberts abruptly retired Wednesday, the same day a Utah woman lodged a lawsuit alleging he raped her when she was a 16-year-old murder witness during his time as a federal prosecutor.

### **Bond Behind Trial Firm Wilkinson Walsh Forged By Garland**

Trial lawyers Beth Wilkinson and Alexandra Walsh were introduced by a mutual friend of unusual eminence, D.C. Circuit Chief Judge Merrick Garland, whom President Obama nominated Wednesday to fill the vacant seat on the U.S. Supreme Court. In January, the pair left Paul Weiss to launch the boutique firm Wilkinson Walsh, which has already doubled its head count and has five trials scheduled this year.

### **Slights Easily Confirmed As Newest Del. Vice Chancellor**

Delaware assured continued full strength for its influential Court of Chancery on Wednesday, with the state Senate easily confirming veteran attorney and former state Superior Court Judge Joseph R. Slights III to fill a seat opened by Vice Chancellor John W. Noble's looming retirement.

### **Greenberg Traurig Halts Plans For BLP Merger**

Greenberg Traurig LLP has ended merger talks with U.K.-based global law firm Berwin Leighton Paisner LLP, Greenberg announced Wednesday, dashing plans to create one of the world's biggest real estate practices out of a desire to focus on its business.

### **Cadwalader Reverts To Hour-Based Bonuses For Associates**

Cadwalader Wickersham & Taft LLP associates can forget about relying solely on work quality over quantity if they'd like to see a hefty bonus next year, with the firm announcing it will again be linking bonus payments directly with an associate's billable hours.

### **Squire Patton Boggs, Kaye Scholer Revenue Figures Revealed**

Squire Patton Boggs LLP boosted its gross revenue last year by 6.7 percent, reaching \$929 million, and revenue at Kaye Scholer LLP dipped 1.3 percent to \$370 million, representatives for the firms confirmed on Wednesday.

### **Legal Ops Pros Come Together To Push Industry Change**

Cross-company collaboration propels innovation in legal departments and forces legal service providers to follow suit. Here, six legal operations directors discuss how working together is driving industry change.

## Legal Sector Challenged To Up Its Female Ranks By 2020

A group of women lawyers on Tuesday challenged the legal world to include more women at the highest levels of practice, calling for one-third of all law firm equity partners, general counsels and law school deans to be women by 2020.

## Attys, Judges Mostly Favor Cameras In The Courtroom

Attorneys and judges across the U.S. who participated in recorded federal court proceedings mostly agree that the act does more good than harm, including motivating attorneys to be better prepared and more polite, according to a report released on Tuesday by the Federal Judicial Center.

## Howrey Bankruptcy Deals Over Unpaid Rent Get Sign-Off

A California bankruptcy court Wednesday signed off on settlements between the Chapter 7 trustee for defunct law firm Howrey LLP and several creditors seeking unpaid rent, including the Dewey & LeBoeuf Liquidation Trust and U.S. Bank NA.

### **JOBS**

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### **LAW FIRMS**

Greenberg Traurig  
Arnold & Porter  
Boies Schiller  
Hogan Lovells  
Mayer Brown  
Andrews Kurth  
BakerHostetler  
Bancroft PLLC  
Barnes & Thornburg  
Becker & Poliakoff  
Berwin Leighton  
Blackwell Burke  
BuckleySandler  
Cadwalader Wickersham  
Carroll Burdick  
Chamberlain Hrdlicka  
Cleary Gottlieb  
Covington & Burling  
Cravath Swaine  
Crowe & Dunlevy  
Crowell & Moring  
Dewey & LeBoeuf  
Diamond McCarthy  
Dilworth Paxson  
Dorsey & Whitney  
Earthjustice  
Epstein Becker Green  
Fish & Richardson  
Fisher & Phillips  
Fried Frank  
Gardere Wynne Sewell  
Gibson Dunn  
Gibson McAskill  
Goldberg Segalla

Goodwin Procter  
Herbert Smith Freehills  
Hickey & Evans  
Holland & Knight  
Hunton & Williams  
Husch Blackwell  
Johns Marrs  
Jones Day  
Kasowitz Benson  
Kaye Scholer  
Kramer Levin  
Kramon & Graham  
Leesfield Scolaro  
Lewis Hansen  
McGuireWoods  
Miller Starr  
Morris James  
Morrison & Foerster  
Munger Tolles  
Norton Rose Fulbright  
Paul Weiss  
Phillips Nizer  
Pulman Cappuccio  
Richards Layton  
Ropes & Gray  
Rosenberg & Estis  
Sanford Heisler  
Schiff Hardin  
Schnader Harrison  
Seyfarth Shaw  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Susman Godfrey  
Sutherland Asbill  
Troutman Sanders  
Wachtell Lipton  
Weiss Serota  
Whiteford Taylor  
Wilkinson Walsh  
Wilson Sonsini

#### COMPANIES

Google Inc.  
Verizon Communications  
American Cable Association  
American Petroleum Institute Inc.  
3M Company  
AT&T Inc.  
Actavis PLC  
Adobe Systems Incorporated  
Air Transport Association of America

Airbnb Inc.  
Allianz SE  
Allstate Corporation  
American Bar Association  
American Civil Liberties Union  
American Farm Bureau Federation  
Anthem Inc.  
Archer Daniels Midland Co.  
Association of American Railroads  
Association of Corporate Counsel  
Bank of Hawaii Corporation  
Bayer AG  
CACI International Inc.  
CME Group Inc.  
Cambridge Investment Research Inc.  
Cardinal Health Inc.  
Chesapeake Energy Corporation  
Chevron Corporation  
Chicago Cubs  
Community Health Systems, Inc.  
Consumer Watchdog  
Delaware State Bar Association  
EQT Corporation  
Electronic Frontier Foundation  
Electronic Privacy Information Center  
Endo International Plc  
Excellus BlueCross BlueShield  
Facebook  
FedEx Corporation  
Ferring Pharmaceuticals Inc.  
Financial Industry Regulatory Authority Inc.  
Flextronics International Ltd.  
Friedman LLP  
GSI Commerce, Inc.  
Gilead Sciences Inc.  
Height Securities LLC  
Hewlett Packard Co.  
Humana Inc.  
International Bancshares Corporation  
International Finance Corp.  
Kaiser Permanente  
LPL Financial Holdings Inc.  
Lyft Inc.  
MSCI, Inc.  
Merck & Co Inc.  
Murray Energy Corp.  
National Association of Home Builders  
National Rifle Association of America  
Natural Resources Defense Council  
NetApp, Inc.  
New York Times Co.  
New York University

Newegg Inc.  
Oracle Corporation  
Pfizer Inc.  
Premera Blue Cross  
Purdue Pharma LP  
Quest Diagnostics Incorporated  
Rue La La Inc.  
Sierra Club  
Southeastern Pennsylvania Transportation Authority  
Stryker Corporation  
Sutter Health  
Symantec Corporation  
Teva Pharmaceutical Industries Limited  
The European Bank for Reconstruction & Development  
Toys 'R' Us  
Uber Technologies Inc.  
Wal-Mart Stores Inc.  
Yahoo! Inc.  
Zogenix Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Department of Labor  
Federal Communications Commission  
National Labor Relations Board  
Department of Homeland Security  
Environmental Protection Agency  
Federal Trade Commission  
Bureau of Citizenship and Immigration Services  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Department of Commerce  
Department of Health and Human Services  
Department of the Interior  
European Commission  
Federal Aviation Administration  
Food and Drug Administration  
Internal Revenue Service  
NATO  
Occupational Safety and Health Administration  
Securities and Exchange Commission  
U.S. Department of Defense  
United Nations  
Army Corps of Engineers  
Bureau of Indian Affairs  
Bureau of Land Management  
Centers for Disease Control and Prevention  
Department of Agriculture  
Equal Employment Opportunity Commission  
Federal Highway Administration

Federal Judicial Center  
Federal Reserve System  
Government Accountability Office  
National Indian Gaming Commission  
National Institute of Standards and Technology  
National Security Agency  
Office of Management and Budget  
Pipeline and Hazardous Materials Safety Administration  
U.S. Air Force  
U.S. Army  
U.S. Department of Transportation  
U.S. House of Representatives  
U.S. Navy  
U.S. Patent and Trademark Office  
U.S. Senate  
Ute Indian Tribe  
Wage and Hour Division  
World Bank Group

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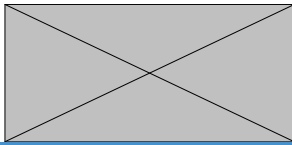
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**Sent:** Thur 5/11/2017 7:29:48 AM  
**Subject:** [Marketing Mail] DOJ Antitrust Nominee Vows Focus On International Arena



**PUBLIC POLICY.**

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Thursday, May 11, 2017

## TOP NEWS

### DOJ Antitrust Nominee Vows Focus On International Arena

Makan Delrahim, President Donald Trump's nominee to head the U.S. Department of Justice's antitrust division, said Wednesday that if confirmed, he would like to address international antitrust enforcement, citing perceptions of protectionism and discrimination against U.S. companies by foreign authorities. [Read more »](#)

### Comey Firing Casts Shadow Over Solicitor General Hearing

The firing of FBI Director James Comey on Tuesday and travel ban executive orders colored a Senate Judiciary Committee hearing Wednesday for President Donald Trump's nominee for solicitor general, Noel Francisco, and the nominee for assistant attorney general as they fielded questions about the roles of those offices. [Read more »](#)

### Senate Fails To Advance Methane Rule Repeal

Congress on Wednesday failed to advance a measure that would undo a rule from President Barack Obama's term meant to curb methane emissions on federal lands, a surprise defeat for a Republican-controlled Congress that has passed measures to undo more than a dozen Obama-era regulations. [Read more »](#)

#### Analysis

### Republicans The Missing Link For Independent Russia Probe

President Donald Trump's decision to fire FBI Director James Comey on Tuesday amid lingering questions about the Trump campaign's ties to Russia has set off a political maelstrom in Washington, but experts say Democratic pressure alone won't be enough to force the U.S. Department of Justice to appoint a special prosecutor. [Read more »](#)

#### Analysis

### Political Discord May Kill Tax Reform Before It Begins

The unexpected success of the 1986 tax reform package can be instructive for a new presidential administration with similar ambitions, but the architects and observers of the '86 effort fear that the existing political climate could make an already challenging task significantly harder, or even impossible. [Read more »](#)

### Comey Firing Puts Spotlight On Deputy AG Rosenstein

The firing of FBI Director James Comey is fast becoming the biggest scandal of the Trump presidency, but former colleagues of Deputy Attorney General Rod Rosenstein say he wasn't playing politics when he approved it. [Read more »](#)

## LAW FIRMS

Allen & Overy  
Bernstein Litowitz  
Bingham Greenebaum  
Bradley Arant  
Brownstein Hyatt  
Brune Law PC  
Burg Simpson  
Choate  
Cleary Gottlieb  
Clifford Chance  
Cozen O'Connor  
Cravath Swaine  
DLA Piper  
Davis Brown  
Dechert  
Dentons  
Dewey & LeBoeuf  
Epstein Becker Green  
Freshfields  
Fried Frank  
Gallet Dreyer  
Gibson Dunn  
Holland & Knight  
Howard Rome  
Hughes Hubbard  
Hyman Phelps  
Jeffer Mangels  
Jones Day  
K&L Gates  
Kaplan Kirsch  
Kelley Drye  
Kirkland & Ellis  
Knobbe Martens

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## Analysis

### Texas Suit Over Death Penalty Drug Faces Steep Odds

Texas will likely be fighting an uphill battle against the U.S. Food and Drug Administration in its suit over the agency's import ban of a drug used to carry out lethal injection executions, in a case that highlights the issues of buying such drugs from overseas sources. [Read more »](#)

## Analysis

### No End In Sight For Russia Sanctions After Comey Ouster

President Donald Trump's bombshell decision to fire FBI Director James Comey amid the agency's probe of White House ties to the Russian government has all but erased the already faint possibility of loosening U.S. sanctions on Moscow's banking, energy and defense sectors. [Read more »](#)

## Analysis

### More Judicial Nominees In Pipeline To Fill Historic Gaps

More judicial nominees at both the district and appellate level are in the works, with senators saying the Trump administration is working with them on more candidates beyond the 10 announced Monday to fill the historic number of vacancies in the federal judiciary, including 50 considered "judicial emergencies." Here, Law360 zooms in on some of the 129 federal judicial vacancies. [Read more »](#)

## BANKING & SECURITIES

### SEC Aims To 'Slam The Courthouse Door,' Tilton Tells Justices

Private equity magnate Lynn Tilton has again pressed the U.S. Supreme Court to weigh the constitutionality of the U.S. Securities and Exchange Commission's administrative law judges, arguing that she should not have to wait for the agency's proceedings against her to finish before she can challenge their legitimacy. [Read more »](#)

### Dealmakers Expect More 'Unicorns' To Tap IPO Market

More so-called unicorns are preparing initial public offering this year and beyond, dealmakers told a forum gathered Wednesday by the U.S. Securities and Exchange Commission and New York University, as pressure grows from venture capital firms seeking to exit their investments while the IPO market is warm. [Read more »](#)

## ENERGY & ENVIRONMENTAL

## Analysis

### 3 Questions EPA Must Tackle In Mercury Rule Cost Review

The D.C. Circuit recently allowed the EPA to review an Obama-era assessment of the costs underlying a rule curbing mercury emissions from power plants, and while the Trump administration has been outspoken about wanting to undo environmental rules, experts say revamping that cost analysis presents a daunting challenge. Here are three questions the agency will have to address. [Read more »](#)

### Calif., NY Sue DOI Over Coal Leasing Program

California, New York, New Mexico and Washington hit the U.S. Department of the Interior with a lawsuit in Montana federal court Tuesday for restarting the federal coal leasing program without conducting a new or updated environmental review. [Read more »](#)

## HEALTH & LIFE SCIENCES

## Analysis

### 5 Top Priorities As Gottlieb Takes Reins At FDA

Scott Gottlieb will start his tenure atop the U.S. Food and Drug Administration with oodles of hot-button policy questions demanding his attention, including deeply

Latham & Watkins

Lightfoot Franklin

Linklaters

Loeb & Loeb

Mayer Brown

McLaughlin & Stern

Morgan Lewis

Orrick Herrington

Oxford Cohen PC

Peckar & Abramson

Seyfarth Shaw

Shearman & Sterling

Sidley Austin

Simpson Thacher

Slaughter and May

Stoel Rives

Stroock & Stroock

Vedder Price

Weil Gotshal

Weissman & Mintz

White & Case

Wiley Rein

Wilson Sonsini

## COMPANIES

AAR Corporation

AT&T Inc.

Airbnb Inc.

Amazon.com Inc.

American Bar Association

American Cable Association

American Civil Liberties Union

American Enterprise Institute

American Federation of Labor and

Congress of Industrial

Organizations

American Petroleum Institute Inc.

Apple Inc.

Association of American Railroads

Bank of America Corporation

BuzzFeed Inc.

CIGNA Corporation

Chambers and Partners

Cisco Systems Inc.

Communications Workers of  
America

Credit Suisse Group AG

Defense Research Institute

Ennis Inc.

Facebook

Federalist Society

Home Box Office Inc.



contentious issues involving drug safety and nutritional disclosures. Here are key debates that attorneys expect Gottlieb to prioritize. [Read more »](#)

### III. Senate Sends Abortion Expansion Bill To Gov.'s Desk

With a vote of 33-22, Democrats in the Illinois Senate on Wednesday narrowly passed a bill that would expand abortion access to women on Medicaid and state employee health insurance, along with protecting abortion in Illinois should the U.S. Supreme Court overturn the landmark 1973 case Roe v. Wade. [Read more »](#)

### CBO To Release Appraisal Of ACA Repeal Bill This Month

The Congressional Budget Office on Wednesday announced that later this month it will release an updated appraisal of Republican legislation to largely repeal and replace the Affordable Care Act. [Read more »](#)

### NJ Bill Would Protect Insureds With Pre-Existing Ailments

Two Democratic New Jersey senators have unveiled legislation that would prohibit insurers from modifying coverage for pre-existing health conditions, joining the outcry against a pending Republican-backed federal health care bill that in part allows states to waive such protections. [Read more »](#)

## IP & TECHNOLOGY

### Feds Need To Dial Up Cyberattack Responses, Senate Told

A White & Case LLP partner and other experts on Wednesday pushed the U.S. Senate to support efforts to ramp up the government's ability to prosecute and make counterstrikes against hackers that infiltrate public- and-private sector information systems, saying the moves would be more effective than mandating corporate security protocols. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### Local Agencies Press DC Circ. To Review FRA Safety Order

A pair of agencies urged the D.C. Circuit to review an August 2016 federal order imposing new safety oversight and enforcement obligations on state entities that oversee intercity passenger rail service, saying it improperly expands the Federal Railroad Administration's authority and mucks up existing rules. [Read more »](#)

### Upstate NY Cabs Fined For Inflated Fares To Canadian Border

Several upstate New York taxicab companies were hit with court judgments and penalties for overcharging customers for taxi rides from Plattsburgh to the Canadian border, partly to take advantage of refugees leaving the U.S., state Attorney General Eric T. Schneiderman said Wednesday. [Read more »](#)

## EMPLOYMENT

### DOL Formally Rescinds Rule Limiting Drug Test Mandates

The Department of Labor on Wednesday officially removed an Obama-era regulation that limited states' ability to mandate drug testing for unemployment benefits, a move that finalized actions taken by Congress and the president earlier this year. [Read more »](#)

### NJ Justices Refuse To Accelerate 'Job-Banding' Case Review

The New Jersey Supreme Court has rejected the state Civil Service Commission's bid to accelerate the review of an appeals court's invalidation of its rule eliminating the competitive job advancement examination for certain job titles, stating in an order released Wednesday the court's current schedule provides for a "timely review" of the case. [Read more »](#)

## PRIVACY & CONSUMER PROTECTION

Hospira Inc.  
Intel Corporation  
Mexican American Legal Defense and Education Fund  
Microsoft Corporation  
Monsanto Company  
Mylan NV  
National Association of Broadcasters  
National Australia Bank  
New York University  
Oppenheimer Holdings Inc.  
Pacific Legal Foundation  
Pew Charitable Trusts  
Pfizer Inc.  
Planned Parenthood Federation  
QUALCOMM Incorporated  
Sequoia Capital Operations LLC  
Snap Inc.  
The American Law Institute  
The Federation of State Medical Boards Inc.  
Thomson Reuters Corporation  
Trump Organization Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Land Management  
Centers for Medicare & Medicaid Services  
Central Intelligence Agency  
Congressional Budget Office  
Congressional Research Service  
Consumer Financial Protection Bureau  
European Commission  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Railroad Administration  
Food and Drug Administration  
Internal Revenue Service  
National Park Service  
National Railroad Passenger Corporation  
North Carolina Department of Transportation  
Securities and Exchange Commission  
Texas Department of Criminal Justice  
Texas State Senate

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## Analysis

### CFPB's Prepaid Card Rule Evades Repeal, But Tweaks Coming

With a Thursday deadline looming, it appears the Consumer Financial Protection Bureau's regulations for prepaid cards and digital wallets will survive a brush with a Republican-led repeal effort, but the rule may look at least somewhat different when it takes effect next April. [Read more »](#)

## GOVERNMENT CONTRACTS

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### DOD Failed To Meet Improper Payment Rules, OIG Says

The U.S. Department of Defense in 2016 failed to fully comply with statutory requirements intended to help reduce improper payments, falling short on both assessment and reporting requirements, a watchdog said in a report made public Wednesday. [Read more »](#)

### Trump Claims Presidential Immunity In DC Wine Bar Suit

President Donald Trump told a D.C. federal court on Wednesday that an unfair competition suit brought by a wine bar located near his luxury hotel should be dismissed on the grounds of presidential immunity, saying the suit wrongfully seeks to hold him liable for acts that have occurred while serving in his official role. [Read more »](#)

## INTERNATIONAL TRADE

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### TPP May Be Moving Forward Without US

The remaining 11 members of the proposed Trans-Pacific Partnership appear poised to see what can be salvaged from the trade deal, with or without the United States, after President Donald Trump pulled out from what he characterized as a waiting disaster for U.S. industry and jobs. [Read more »](#)

### Court Orders EU To Recognize Anti-TTIP Initiative

The General Court of the European Union ordered the European Commission on Wednesday to recognize a citizens initiative challenging proposed trade deals with the U.S. and Canada, finding no interference in the EU legislative process. [Read more »](#)

## TAX

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### IRS To Issue Private Rulings Again On Certain Distributions

The Internal Revenue Service will resume issuing rulings on tax questions regarding exchanges of stock for debt relief by controlled corporations amid an agency study of tax implications for certain spin-off transactions, the IRS announced Tuesday, saying the move was in the interest of sound tax administration. [Read more »](#)

### NJ Budget Panel Advances 'Airbnb' Tax Bill

A New Jersey bill that would tax online short-term rental marketplaces like Airbnb and FlipKey and provide the state with what lawmakers say is a much-needed revenue boost survived scrutiny by a state Assembly panel Wednesday. [Read more »](#)

### Ill. Budget Zombie Bills Reemerge To GOP Block

The Republican leader of the Democratic-controlled Illinois Senate on Wednesday stymied an attempt by Senate Democrats to bring a so-called Grand Bargain package of spending cuts, new revenue and government reforms back to life three weeks before the end of the spring legislative session. [Read more »](#)

## IMMIGRATION

U.S. Army

U.S. Department of Defense

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. Forest Service

U.S. General Services Administration

U.S. House of Representatives

U.S. Senate

U.S. Sentencing Commission

U.S. Supreme Court

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### **Texas Sens. Pass Bill To OK Detention Centers For Childcare**

The Texas Senate on Wednesday passed legislation that will permit the state to license immigrant detention centers as childcare facilities, while opponents of the bill expressed concern that it discriminates against vulnerable children. [Read more »](#)

## **TELECOMMUNICATIONS**

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### **FCC Proposes Pulling Back Regulations On Wireless Cos.**

The Federal Communications Commission is proposing to pull back “regulatory impediments” facing wireless companies, to promote investment and deployment of the infrastructure for wireless networks around the country, according to a proposed rule published in the Federal Register on Wednesday. [Read more »](#)

### **Senate Dems Push FCC For Info On Cyberattack**

Democratic Sens. Ron Wyden of Oregon and Brian Schatz of Hawaii asked the Federal Communications Commission's head for more information Tuesday on distributed denial-of-service attacks that allegedly began at midnight Sunday, saying they could have affected public comment on net neutrality. [Read more »](#)

### **Small Cable Group Cautions FCC On Next-Gen Broadcasting**

The American Cable Association on Tuesday urged the Federal Communications Commission to ensure that broadcasters' transition to a next-generation standard doesn't hurt other players in the “video ecosystem,” especially small cable providers with more limitations than larger pay-TV providers. [Read more »](#)

## **PEOPLE**

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### **Vedder Price Hires Ex-K&L Gates SEC White Collar Pro**

Vedder Price LLP has added a shareholder in Los Angeles with experience handling government investigations, securities class actions and whistleblower claims after years of handling white collar, securities and regulatory work for K&L Gates LLP and the U.S. Securities and Exchange Commission. [Read more »](#)

## **EXPERT ANALYSIS**

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### **The Defend Trade Secrets Act — A Year In Review**

In honor of the one-year anniversary of the signing of the Defend Trade Secrets Act, attorneys at Knobbe Martens Olson & Bear LLP tracked every DTSA case filed over the last year to see how the law is affecting our courts and how it is being utilized throughout the country. [Read more »](#)

### **How CHOICE Act May Change SEC Reporting, Governance**

In addition to the financial regulatory reforms at the heart of the bill, the newly updated Financial CHOICE Act proposes several noteworthy modifications to U.S. Securities and Exchange Commission disclosure requirements and the U.S. corporate governance regime, which should be of interest to publicly traded companies, say Yafit Cohn and Karen Hsu Kelley of Simpson Thacher & Bartlett LLP. [Read more »](#)

### **Questioning The Controlled Substances Act After Enmon**

Following the Eleventh Circuit's recent decision in *United States v. Enmon*, it remains unclear what conduct is prohibited under the Controlled Substances Act and what intent a physician must possess in order to support a conviction, say attorneys with Lightfoot Franklin & White LLP. [Read more »](#)

### **Bail Reform Will Imperil California's Justice System**

Each year more than 300,000 defendants are released on bail in California. But new legislation seeks to take this constitutional right away from defendants and replace it with an expensive and onerous pretrial release system. Shifting from privately funded bail to taxpayer-funded pretrial release programs will undoubtedly strain California's already underfunded court system, says retired San Mateo Superior Court Judge Quentin Kopp. [Read more »](#)

#### Opinion

### Why Criticism Of ALI's Insurance Restatement Is Valid

The saga of the American Law Institute's "Restatement of the Law - Liability Insurance" continues to unfold with a recent publication by the Restatement's authors, rebutting Professor George Priest's criticism. Based on the available information, Priest's view — that the Restatement will likely result in higher future premiums and potential decreased availability of coverage for consumers — appears to win the day, says A. Hugh Scott of Choate Hall & Stewart LLP. [Read more »](#)

### A Closer Look At Trump's Antiquities Act Order

President Donald Trump's recent executive order to U.S. Department of the Interior Secretary Ryan Zinke has brought the Antiquities Act back to center stage. The order has several specific review standards, the most important being the size of a monument created by proclamation, says John Freemuth, professor of environmental policy at Boise State University. [Read more »](#)

## LEGAL INDUSTRY

### Why BigLaw Won't Change Unless Clients Demand It

Law firms are nothing without clients, and it is through their insistence alone that BigLaw will step outside its comfort zone and make truly innovative changes, Seyfarth Shaw LLP partner Lisa Damon said Wednesday at the CLOC conference in Las Vegas. [Read more »](#)

### Weil's High Fees Bid In Bankruptcy Case Gets Bench Slap

An Iowa bankruptcy judge on Tuesday awarded just half of Weil Gotshal & Manges' "staggering" nearly million-dollar fees request for representing a lender in the bankruptcy of aerospace parts maker Wellman Dynamics, saying the number of attorneys and hours billed showed "a distinct lack of billing judgment." [Read more »](#)

#### Analysis

### How US Firms' Growth Has Changed London's Legal Scene

An onslaught of U.S. law firms into London over the past decade, driven largely by private equity and financial industry work, has created increased competition for talent in the city's legal market and pushed U.K.-based law firms to rethink their strategies surrounding compensation. [Read more »](#)

#### Analysis

### Dewey Appeal To Take Broad Look At Tangled Prosecution

The lone Dewey & LeBoeuf LLP executive convicted at trial is likely on appeal to attack the government's case as an attempt to "rebrand" conduct for which he was already cleared, a strategy that experts say could bring the case's tangled history into play. [Read more »](#)

### Plaintiffs Bar Perspective: Bernstein Litowitz's Hannah Ross

Over the last five to 10 years, we have seen the emergence of new substantive hurdles in the prosecution of a securities class action, making it more time-consuming and more procedurally challenging, says Hannah Ross of Bernstein Litowitz Berger & Grossmann LLP. [Read more »](#)

## JOBS

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Simpson Thacher  
Allen & Overy  
Bernstein Litowitz  
Bingham Greenebaum  
Bradley Arant  
Brownstein Hyatt  
Brune Law PC  
Burg Simpson  
Choate  
Cleary Gottlieb  
Clifford Chance  
Cozen O'Connor  
Cravath Swaine  
DLA Piper  
Davis Brown  
Dentons  
Dewey & LeBoeuf  
Epstein Becker Green  
Freshfields  
Fried Frank  
Gallet Dreyer  
Holland & Knight  
Howard Rome  
Hughes Hubbard  
Hyman Phelps  
Jeffer Mangels  
Jones Day  
Kaplan Kirsch  
Kelley Drye  
Kirkland & Ellis  
Knobbe Martens  
Lightfoot Franklin  
Linklaters  
Loeb & Loeb  
Mayer Brown  
McLaughlin & Stern  
Morgan Lewis  
Orrick Herrington  
Oxfeld Cohen PC  
Peckar & Abramson  
Shearman & Sterling  
Sidley Austin  
Slaughter and May  
Stoel Rives  
Stroock & Stroock  
Vedder Price  
Weil Gotshal

Weissman & Mintz  
White & Case  
Wiley Rein  
Wilson Sonsini

## COMPANIES

Airbnb Inc.  
American Civil Liberties Union  
Credit Suisse Group AG  
New York University  
AAR Corporation  
AT&T Inc.  
Amazon.com Inc.  
American Bar Association  
American Cable Association  
American Enterprise Institute  
American Federation of Labor and Congress of Industrial Organizations  
American Petroleum Institute Inc.  
Apple Inc.  
Association of American Railroads  
Bank of America Corporation  
BuzzFeed Inc.  
CIGNA Corporation  
Chambers and Partners  
Cisco Systems Inc.  
Communications Workers of America  
Defense Research Institute  
Ennis Inc.  
Facebook  
Federalist Society  
Home Box Office Inc.  
Hospira Inc.  
Intel Corporation  
Mexican American Legal Defense and Education Fund  
Microsoft Corporation  
Monsanto Company  
Mylan NV  
National Association of Broadcasters  
National Australia Bank  
Oppenheimer Holdings Inc.  
Pacific Legal Foundation  
Pew Charitable Trusts  
Pfizer Inc.  
Planned Parenthood Federation  
QUALCOMM Incorporated  
Sequoia Capital Operations LLC  
Snap Inc.  
The American Law Institute  
The Federation of State Medical Boards Inc.  
Thomson Reuters Corporation  
Trump Organization Inc.

## GOVERNMENT AGENCIES

Federal Bureau of Investigation  
U.S. Department of Justice  
U.S. Supreme Court  
U.S. Senate  
Securities and Exchange Commission  
Federal Communications Commission  
U.S. Department of the Interior  
Bureau of Land Management  
European Commission  
European Union  
Executive Office of the President  
Food and Drug Administration  
Internal Revenue Service  
U.S. House of Representatives  
Army Corps of Engineers  
Centers for Medicare & Medicaid Services  
Central Intelligence Agency  
Congressional Budget Office  
Congressional Research Service  
Consumer Financial Protection Bureau  
Federal Railroad Administration  
National Park Service  
National Railroad Passenger Corporation  
North Carolina Department of Transportation  
Texas Department of Criminal Justice  
Texas State Senate  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Environmental Protection Agency  
U.S. Forest Service  
U.S. General Services Administration  
U.S. Sentencing Commission

## **JOBS**

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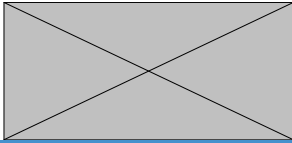
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 11/1/2018 8:28:47 AM  
**Subject:** 19 States Urge DC Circ. To Block Military Transgender Ban



**PUBLIC POLICY.**

LexisNexis launches Law360's Access To Justice Newswire

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Thursday, November 1, 2018

## TOP NEWS

### 19 States Urge DC Circ. To Block Military Transgender Ban

Nineteen states and the District of Columbia have urged the D.C. Circuit not to lift an injunction against a Trump administration policy that would ban many transgender people from military service, arguing the policy is both "irrational" and unconstitutional. [Read full article »](#)

### In Immunity Case, Justices Ask What Meaning Of Word 'Is' Is

The U.S. Supreme Court wrestled with the scope of immunity that international organizations like the World Bank and International Monetary Fund enjoy during oral arguments in a tort case Wednesday, trying to decipher the meaning of the word "is" in a 73-year-old statute. [Read full article »](#)

### Tribe Slams 'Broken' Enforcement Of ND Voter ID Law

The Spirit Lake Tribe urged a North Dakota judge Wednesday to block the state from requiring voters to furnish proof of a residential address in order to vote, a day after the tribe and several individuals filed a suit claiming the implementation of the requirement threatens to deprive many Native Americans of their votes. [Read full article »](#)

### Fla. Gov. Rebuts High Court Ruling On 3 Justice Appointments

Florida Gov. Rick Scott pressed the Florida Supreme Court on Tuesday to clarify its Oct. 15 order denying him the power to appoint the next three justices to the court, continuing to argue that under precedent he and the governor-elect should be able to jointly make the appointments. [Read full article »](#)

#### Analysis

### Telecom Security Flaws Targeted With Bans, Compliance

As regulators and industry players work together to weed out cybersecurity threats on every level of communications networks, uncertainty is brewing over whether more aggressive rules may push smaller and new contractors to leave the sector, potentially slowing network deployment. [Read full article »](#)

### Dems Stake Out Their Turf With Bill Targeting Epic Systems

Top congressional Democrats proposed legislation on Tuesday to upend the U.S. Supreme Court's landmark Epic Systems decision and curtail employers' use of class action waivers. While it stands little chance of becoming law during the Trump administration, experts say the bill foreshadows a worker-friendly policy that Democratic lawmakers will likely try to enact when they are back in power. [Read full article »](#)

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#### LAW FIRMS

Alston & Bird  
Arnold & Porter  
Baker Botts  
Baker McKenzie  
Bartlit Beck  
Brann & Isaacson  
Burns & Levinson  
Cohen Milstein  
Consovoy McCarthy  
Cooper & Kirk  
Covington & Burling  
Cranfill Sumner  
Crowell & Moring  
Curtin & Heefner  
Cuti Hecker  
Debevoise & Plimpton  
Dechert  
Dentons  
Earthjustice  
Foley Hoag  
Goldstein & Russell  
Harris Beach  
Hodgson Russ  
Holland & Knight  
Hunton Andrews Kurth  
Ibrahim Law  
Kasowitz Benson  
Klein Moynihan

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## BANKING & SECURITIES

### Fed Proposes Relaxing Rules For Some Large US Banks

The Federal Reserve rolled out proposals on Wednesday that would significantly relax capital requirements and other rules for some bigger U.S. banks, furthering recent efforts in Washington to ease post-crisis regulatory burdens on financial institutions perceived as less risky. [Read full article »](#)

### SEC Seeks To Simplify Variable Annuity Disclosures

The U.S. Securities and Exchange Commission on Tuesday proposed allowing issuers of variable annuities and variable life insurance contracts to provide shorter summary prospectuses, shifting toward a more layered approach to disclosure that the agency says is more user-friendly to investors. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

### Transco Pipeline Access Is Constitutional, 3rd Circ. Says

The Third Circuit has backed Transco's immediate access to various Pennsylvania properties for its natural gas pipeline upgrade through five states, ruling in a precedential decision Tuesday that a lower court's interpretation of federal natural gas law didn't violate the separation of powers model established by the U.S. Constitution. [Read full article »](#)

### Wash. Court Says Forest Board's Manual Not Enforceable

A landslide prevention group can't get judicial review of a Washington State Forest Practices Board manual the group says doesn't mandate enough preventative measures, a state appeals court has ruled, finding the manual was just a guideline without enforceable rules. [Read full article »](#)

### Enviros, Utilities Cross Swords Over EPA's La. Haze Plan

Environmental groups and utilities swapped dueling briefs in Fifth Circuit litigation challenging the U.S. Environmental Protection Agency's approval of a regional haze reduction plan for Louisiana, with each side arguing that the other's objections to the EPA's decision are baseless. [Read full article »](#)

## HEALTH & LIFE SCIENCES

### HHS Reverses Course, Will Start 340B Fines Soon

The U.S. Department of Health and Human Services on Wednesday backed off its latest delay of drugmaker fines in the 340B drug discount program, a win for hospitals that sued to force implementation of the penalty policy. [Read full article »](#)

### Boston Says Opioid Suit Is Purely A State Law Matter

The city of Boston has asked a Massachusetts federal court to move its suit against opioid manufacturers and distributors back to state court, arguing there are no questions of federal law at play. [Read full article »](#)

## MEDIA & ENTERTAINMENT

### Trump To Hand Over Calendar In Harassment Defamation Suit

President Donald Trump agreed Wednesday to turn over parts of his 2007 and 2008 calendar in a New York state court defamation suit brought by a woman accusing him of damaging her reputation by calling her a liar after she went public with sexual harassment claims. [Read full article »](#)

#### Analysis

### NY Daily Fantasy Sports In Jeopardy After Gambling Ruling

Kutak Rock  
Latham & Watkins  
Morgan Lewis  
Motley Rice  
Munger Tolles  
Native American Rights Fund  
Nichols Jackson  
O'Melveny & Myers  
Paul Hastings  
Pierce Atwood  
Polsinelli  
Quinn Emanuel  
Robins Kaplan  
Ropes & Gray  
Rothwell Figg  
Saul Ewing  
Selendy & Gay  
Steptoe & Johnson LLP  
Taylor English  
Vladeck Raskin  
White & Case  
White and Williams  
Williams & Connolly  
WilmerHale  
Winstead PC  
Zuckerman Spaeder

#### COMPANIES

AT&T Inc.  
Adidas AG  
Altera Corporation  
Amazon.com Inc.  
America's Essential Hospitals  
American Association for Justice  
American Hospital Association  
American Medical Association Inc.  
AmerisourceBergen Corp.  
Ascena Retail Group Inc.  
Bank of America Corporation  
Bayer AG  
Boehringer Ingelheim  
CTIA  
Cardinal Health Inc.  
Cephalon, Inc.  
Charter Communications Inc.  
Chevron Corp.  
Cleco Corporation  
Consumer Bankers Association  
Consumer Watchdog  
Dex Media Inc.  
DraftKings Inc.  
Entergy Corp.

A New York state court's recent ruling that daily fantasy sports contests are gambling exposes operators like DraftKings Inc. and FanDuel Inc. to legal risks that were thought to be resolved and may force the companies to lobby for an amendment to the state constitution to save their businesses in the Empire State. [Read full article »](#)

## TRANSPORTATION & INFRASTRUCTURE

### Calif. OKs Waymo To Test Truly Driverless Cars

Waymo LLC scored approval from California regulators to be the first to test self-driving cars on public roads without a human driver behind the wheel, the self-driving car unit of Google's parent company, Alphabet Inc., said Tuesday. [Read full article »](#)

## REAL ESTATE

### Pot Grower Wins First Civil RICO Trial For Cannabis Industry

A Colorado federal jury sided with the owner of a cannabis cultivation business Wednesday as he fought a Racketeer Influenced and Corrupt Organizations Act suit brought by his neighbors, rejecting their claims that smells and sounds from the facility damaged their property. [Read full article »](#)

### Texas Justices Told City's Taking Of Private Road Is Unlawful

When the city of Rowlett, Texas, condemned a private road at the request of and for the use of a competing builder, it violated the state constitution and government code, a developer told the Texas Supreme Court in oral arguments Wednesday. [Read full article »](#)

## EMPLOYMENT

### EEOC Sexual Harassment Claims Higher Than Estimated

A recent rise in harassment allegations lodged with the U.S. Equal Employment Opportunity Commission was slightly higher than initially estimated, according to new numbers the EEOC released Wednesday. [Read full article »](#)

### DOL Seeks To Quash States' Association Health Plan Suit

The U.S. Department of Labor on Tuesday asked a Washington, D.C., federal judge to dismiss a lawsuit challenging the agency's association health plan rule, telling the judge the states that sued over the rule do not have standing to challenge the measure. [Read full article »](#)

## COMPETITION

### Sprint-T-Mobile Underwhelms With Coverage Claims: Analyst

T-Mobile's proposed combination with Sprint would not result in drastically expanded coverage for rural areas, as the carriers claim, nor would it significantly speed up the rollout of 5G services, according to an analyst and consumer advocates who spoke to reporters on a call Wednesday. [Read full article »](#)

## CYBERSECURITY & PRIVACY

### Ransomware Hackers Target Group 'Involved' In US Elections

Hackers believed to be behind the recent ransomware attack on the city of Atlanta have targeted several health care organizations and at least one government group "involved in administering elections" this year, a cybersecurity company said. [Read full article »](#)

## INTERNATIONAL TRADE

Epic Systems Corp.  
Ernst & Young  
FanDuel Inc.  
FedEx Corp.  
Fujifilm  
Goodyear Tire & Rubber Co.  
Google Inc.  
HP Inc.  
Harbert Management Corp.  
Huawei Technologies  
Icahn Enterprises LP  
International Finance Corp.  
Intuit Inc.  
Johnson & Johnson  
Kaspersky Lab Ltd.  
Kroll Bond Rating Agency Inc.  
Lambda Legal Defense & Educational Fund  
Los Angeles Times  
Make the Road New York  
Mallinckrodt PLC  
McKesson Corp.  
Murphy USA Inc.  
NAACP Legal Defense and Educational Fund Inc.  
National Center for Lesbian Rights  
National Collegiate Athletic Association  
National Conference of State Legislatures  
National Employment Lawyers Association  
National Governors Association  
National Hockey League  
National Immigration Law Center  
National Parks Conservation Association  
National Women's Law Center  
Newegg Inc.  
Oath Inc.  
Overstock.com Inc.  
Peoples Natural Gas Co. LLC  
Pittsburgh Penguins  
Public Knowledge  
Purdue Pharma LP  
Quill Corp.  
Sierra Club  
SoftBank Group Corp.  
Spotify Technology SA  
Symantec Corporation  
T-Mobile USA Inc.  
Teva Pharmaceutical Industries Limited

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## TPP Rises From The Grave, Will Take Effect In December

A slimmed-down version of the Trans-Pacific Partnership, all but left for dead after President Donald Trump vacated the pact after taking office in January 2017, will take effect at the end of the year after Australia ratified the pact on Wednesday. [Read full article »](#)

### TAX

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## IRS Floats Rules To Match Treatment Of Foreign Repatriations

The Internal Revenue Service on Wednesday proposed regulations to smooth out disparities between two provisions — one of which came from the U.S. tax overhaul — that applied different tax treatments to the investment earnings of domestic companies' foreign affiliates. [Read full article »](#)

## SD Settles As Wayfair Suit Comes To Official End

The state of South Dakota said on Wednesday it settled with the three large online retailers that were defendants in the Wayfair case, officially bringing to a close the most groundbreaking litigation in state taxation in decades. [Read full article »](#)

## EU Might Not Get Digital Tax By Year End, Diplomat Says

European Union member states might not be able to get a deal on a digital services tax by the end of the year, a diplomat close to the process told Law360 on Wednesday, because of deep divisions between proponents of the tax and countries with strong technology sectors that prefer a global solution. [Read full article »](#)

### IMMIGRATION

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## USCIS Expanding Online Resources Program To Detroit, LA

U.S. Citizenship and Immigration Services will soon roll out a program that encourages immigration applicants to use its online resources system at its major field offices, including Detroit and Los Angeles, the agency announced Tuesday. [Read full article »](#)

## DHS Denied Her DACA Bid As Retaliation, Activist Claims

A 23-year-old immigration activist and college student accused the U.S. Department of Homeland Security in a lawsuit Tuesday of retaliating against her because of her political activism, including by detaining her and then denying her application for deportation relief under the Deferred Action for Childhood Arrivals program. [Read full article »](#)

## Feds Defend DACA Rollback, DHS Memo At 2nd Circ.

The Trump administration continued to stand by its decision to end protections for young immigrants brought to the U.S. illegally as children, urging the Second Circuit on Tuesday to reject a bid by a coalition of states and a group of immigrants to preserve those protections on constitutional grounds. [Read full article »](#)

### TELECOMMUNICATIONS

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## Gov't Use Of 'Smart City' Data Is A Concern, O'Rielly Says

The government's potential misuse of citizens' data that surfaces in the development of so-called smart cities should worry privacy advocates more than what commercial entities might do with that information, Federal Communications Commission member Michael O'Rielly said in planned remarks at a policy event. [Read full article »](#)

### CIVIL RIGHTS

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Trump Organization Inc.  
UMB Financial Corporation  
Wal-Mart Stores Inc.  
Walgreen Co.  
Walgreens Boots Alliance Inc.  
Wayfair LLC  
WeWork LLC  
Williams Companies Inc  
Xerox Corporation  
Yahoo! Inc.  
ZTE Corp.  
eBay Inc.

### GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
Bureau of Industry and Security  
California State Transportation Agency  
Centers for Medicare & Medicaid Services  
Equal Employment Opportunity Commission  
European Commission  
European Union  
Executive Office of the President  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Reserve System  
Financial Crimes Enforcement Network  
Florida Supreme Court  
Food and Drug Administration  
Internal Revenue Service  
International Monetary Fund  
NAFTA  
National Credit Union Administration  
National Highway Traffic Safety Administration  
National Security Agency  
New York Attorney General's Office  
New York State Assembly  
New York State Department of Taxation and Finance  
Northern Cheyenne Tribe  
Office of Foreign Assets Control  
Office of the Comptroller of the Currency  
San Francisco Bay Area Rapid

## Harvard Expert Testifies Racial Bias Can't Be Ruled Out

Harvard University's star expert witness faced a spirited cross-examination Wednesday by an attorney for the group suing the Ivy League school over its affirmative action admissions policies, and acknowledged that he cannot rule out a racial bias in one of Harvard's admissions ratings being the reason Asian-Americans receive lower scores. [Read full article »](#)

## EXPERT ANALYSIS

### New BSA Order Brings Welcome Flexibility For Banks

A recent interagency order exempting premium finance accounts from the Bank Secrecy Act's customer identification program rules will allow financial institutions to concentrate more anti-money-laundering resources on products and services that pose a greater risk, say Carlton Greene and Danielle Giffuni of Crowell & Moring LLP. [Read full article »](#)

### Assessing Innovations For Medical Device Development

Recent comments by Trump administration leaders, as well as regulatory actions, indicate that the landscape for medical device development, approval and reimbursement may be changing for the better, says Ethan Jorgensen-Earp of Holland & Knight LLP. [Read full article »](#)

### New EU Patent Guidelines May Affect Companies' AI Strategy

As compared to the European Patent Office's guidelines for artificial intelligence and machine learning — which take effect on Thursday — the U.S. eligibility framework may prove to be more favorable to innovators, say Jennifer Maisel and Eric Blatt of Rothwell Figg Ernst & Manbeck PC. [Read full article »](#)

### NY Tax Minutes: October

This month in NY Tax Minutes, Timothy Noonan and K. Craig Reilly of Hodgson Russ LLP discuss a new coalition fighting the SALT deduction cap, highlight a \$30 million settlement in a tax whistleblower action against a hedge fund manager and review the draft amendments to the business corporation franchise tax. [Read full article »](#)

### EU Export And Sanctions Compliance Draft: A Good Start

The European Commission's recently issued draft guidelines for implementation of internal export controls and sanctions compliance programs by European companies are a step in the right direction, but industry input could help make this document more practical and complete, say Guy Soussan and Peter Jeydel of Steptoe & Johnson LLP. [Read full article »](#)

## LEGAL INDUSTRY

### Quinn Emanuel Says Partnership Pact Row Must Be Arbitrated

Quinn Emanuel Urquhart & Sullivan LLP told a New York state judge Wednesday that the litigators who left to launch Selendy & Gay PLLC cannot renege on their obligation to arbitrate a contentious dispute over a clause in their partnership agreement requiring them to remit a portion of fees to their old firm. [Read full article »](#)

### Polsinelli Namesake To Retire 46 Years After Founding Firm

Polsinelli PC namesake James "Jim" Polsinelli on Wednesday announced his plans to retire, almost 50 years after founding the law firm in Kansas City, Missouri, as a 28-year-old lawyer. [Read full article »](#)

### Dentons Faces Possible Discipline Over Pregnancy Bias Claim

Dentons on Wednesday revealed it could face professional discipline in the U.K. over allegations it discriminated against a staff member who took maternity leave, adding it is "disappointed" attorney regulators who launched an investigation this spring are considering further action. [Read full article »](#)

### Baker McKenzie Appoints New North America Regional Chair

Transit District (BART)  
Securities and Exchange Commission  
Social Security Administration  
Solicitors Regulation Authority  
South Dakota Legislature  
Spirit Lake Tribe  
Standing Rock Sioux Tribe  
Texas Supreme Court  
Turtle Mountain Band of Chippewa Indians  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
U.S. Patent and Trademark Office  
U.S. Postal Service  
U.S. Supreme Court  
U.S. Tax Court  
United States Court of Appeals for the Third Circuit  
United States District Court for the Southern District of New York  
Urban Redevelopment Authority of Pittsburgh  
World Bank Group

Baker McKenzie has selected a Washington, D.C.-based tax practice veteran to serve as its North America regional chair and elevated a Dallas-based North America international commercial practice stalwart to its executive committee, the firm announced Tuesday. [Read full article »](#)

### Fed. Courts Lack Consensus On Magistrates' Role

The role magistrate judges play in federal district courts varies greatly from district to district, and analysts and legal scholars should dedicate more attention to the ways magistrates shape the district courts, according to a recent academic study. [Read full article »](#)

### Law Firm Leaders: Taylor English's Kirk Hancock

Kirk Hancock spoke to Law360 about his new role as chief executive officer of Atlanta's Taylor English Duma LLP and why being a nonlawyer gives him a unique perspective on the challenges facing the legal industry. [Read full article »](#)

### The Top In-House Hires Of October

Xerox Corp. tapped a former deputy counsel at Icahn Enterprises LP as its next general counsel, and the NHL's Pittsburgh Penguins picked a former chief of staff for Pittsburgh Mayor William Peduto to be the team's new legal boss. Here, Law360 looks at these and some of the other top in-house hires and promotions of October. [Read full article »](#)

#### **JOBS**

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##### **Mid to Senior Level Litigation Associate**

Messing Adam & Jasmine LLP

Sacramento or San Francisco, California

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#### **LAW FIRMS**

[Bartlit Beck](#)

[Baker McKenzie](#)

[Holland & Knight](#)

[Latham & Watkins](#)

[Morgan Lewis](#)

[O'Melveny & Myers](#)

[WilmerHale](#)

[Alston & Bird](#)

[Arnold & Porter](#)

[Baker Botts](#)

[Brann & Isaacson](#)

[Burns & Levinson](#)

[Cohen Milstein](#)

[Consovoy McCarthy](#)

[Cooper & Kirk](#)

[Covington & Burling](#)

[Cranfill Sumner](#)

[Crowell & Moring](#)

[Curtin & Heefner](#)

[Cuti Hecker](#)

[Debevoise & Plimpton](#)

[Dechert](#)

[Dentons](#)

[Earthjustice](#)

[Foley Hoag](#)

Goldstein & Russell  
Harris Beach  
Hodgson Russ  
Hunton Andrews Kurth  
Ifrah Law  
Kasowitz Benson  
Klein Moynihan  
Kutak Rock  
Motley Rice  
Munger Tolles  
Native American Rights Fund  
Nichols Jackson  
Paul Hastings  
Pierce Atwood  
Polsinelli  
Quinn Emanuel  
Robins Kaplan  
Ropes & Gray  
Rothwell Figg  
Saul Ewing  
Selendy & Gay  
Steptoe & Johnson LLP  
Taylor English  
Vladeck Raskin  
White & Case  
White and Williams  
Williams & Connolly  
Winstead PC  
Zuckerman Spaeder

#### COMPANIES

Google Inc.  
AT&T Inc.  
Adidas AG  
Altera Corporation  
Amazon.com Inc.  
America's Essential Hospitals  
American Association for Justice  
American Hospital Association  
American Medical Association Inc.  
AmerisourceBergen Corp.  
Ascena Retail Group Inc.  
Bank of America Corporation  
Bayer AG  
Boehringer Ingelheim  
CTIA  
Cardinal Health Inc.  
Cephalon, Inc.  
Charter Communications Inc.  
Chevron Corp.  
Cleco Corporation



Consumer Bankers Association  
Consumer Watchdog  
Dex Media Inc.  
DraftKings Inc.  
Entergy Corp.  
Epic Systems Corp.  
Ernst & Young  
FanDuel Inc.  
FedEx Corp.  
Fujifilm  
Goodyear Tire & Rubber Co.  
HP Inc.  
Harbert Management Corp.  
Huawei Technologies  
Icahn Enterprises LP  
International Finance Corp.  
Intuit Inc.  
Johnson & Johnson  
Kaspersky Lab Ltd.  
Kroll Bond Rating Agency Inc.  
Lambda Legal Defense & Educational Fund  
Los Angeles Times  
Make the Road New York  
Mallinckrodt PLC  
McKesson Corp.  
Murphy USA Inc.  
NAACP Legal Defense and Educational Fund Inc.  
National Center for Lesbian Rights  
National Collegiate Athletic Association  
National Conference of State Legislatures  
National Employment Lawyers Association  
National Governors Association  
National Hockey League  
National Immigration Law Center  
National Parks Conservation Association  
National Women's Law Center  
Newegg Inc.  
Oath Inc.  
Overstock.com Inc.  
Peoples Natural Gas Co. LLC  
Pittsburgh Penguins  
Public Knowledge  
Purdue Pharma LP  
Quill Corp.  
Sierra Club  
SoftBank Group Corp.  
Spotify Technology SA  
Symantec Corporation  
T-Mobile USA Inc.  
Teva Pharmaceutical Industries Limited  
Trump Organization Inc.  
UMB Financial Corporation

Wal-Mart Stores Inc.  
Walgreen Co.  
Walgreens Boots Alliance Inc.  
Wayfair LLC  
WeWork LLC  
Williams Companies Inc  
Xerox Corporation  
Yahoo! Inc.  
ZTE Corp.  
eBay Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
U.S. Department of Homeland Security  
European Union  
Federal Communications Commission  
Internal Revenue Service  
U.S. Department of the Treasury  
Bureau of Citizenship and Immigration Services  
Executive Office of the President  
Federal Reserve System  
New York Attorney General's Office  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
Bureau of Industry and Security  
California State Transportation Agency  
Centers for Medicare & Medicaid Services  
Equal Employment Opportunity Commission  
European Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Financial Crimes Enforcement Network  
Florida Supreme Court  
Food and Drug Administration  
International Monetary Fund  
NAFTA  
National Credit Union Administration  
National Highway Traffic Safety Administration  
National Security Agency  
New York State Assembly  
New York State Department of Taxation and Finance  
Northern Cheyenne Tribe  
Office of Foreign Assets Control  
Office of the Comptroller of the Currency  
San Francisco Bay Area Rapid Transit District (BART)  
Securities and Exchange Commission  
Social Security Administration  
Solicitors Regulation Authority  
South Dakota Legislature



Spirit Lake Tribe  
Standing Rock Sioux Tribe  
Texas Supreme Court  
Turtle Mountain Band of Chippewa Indians  
U.S. Department of Transportation  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
U.S. Patent and Trademark Office  
U.S. Postal Service  
U.S. Tax Court  
United States Court of Appeals for the Third Circuit  
United States District Court for the Southern District of New York  
Urban Redevelopment Authority of Pittsburgh  
World Bank Group

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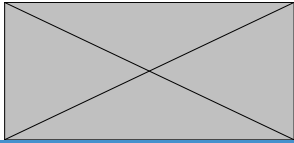
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 5/11/2018 7:28:17 AM  
**Subject:** EXCLUSIVE: Immigration Court Overhaul Outlined In Draft Bill



**PUBLIC POLICY.**

## LEX MACHINA - 2018 Top Law Firm Report for Select Federal Litigation

Rankings across all of Lex Machina's practice area modules -- patent, antitrust, employment, product liability, securities, and more -- on the firms that have filed and defended the most cases. Request your copy here.

**Friday, May 11, 2018**

### TOP NEWS

#### **EXCLUSIVE: Immigration Court Overhaul Outlined In Draft Bill**

Sen. Kirsten Gillibrand, D-N.Y., is considering introducing sweeping legislation to overhaul the nation's immigration court system by establishing independent tribunals with trial and appellate divisions, according to a draft of the bill obtained exclusively by Law360 on Thursday. [Read more »](#)

#### **Cleary, Skadden, Sidley Vets Among Latest Judicial Picks**

President Donald Trump launched another bloc of court nominees Thursday, announcing picks for the Ninth Circuit and district courts in New York, Pennsylvania and Alabama, including a partner from Cleary Gottlieb Steen & Hamilton LLP and veterans of Skadden Arps Slate Meagher & Flom, Simpson Thacher & Bartlett and Sidley Austin LLP. [Read more »](#)

#### **Gass Weber Partner Overcomes Dems For 7th Circ. Seat**

The Senate confirmed Gass Weber Mullins LLC partner Michael Brennan to a post on the Seventh Circuit on Thursday, despite Democrats' complaints that the appointment violated traditional U.S. Senate deference to home-state senators. [Read more »](#)

#### **Starn O'Toole Vet Makes Headway Toward 9th Circ. Bench**

President Donald Trump's choice for a Ninth Circuit vacancy sailed through the Senate Judiciary Committee with bipartisan support Thursday, putting one of the president's picks for the high-profile court on the Senate floor for the first time. [Read more »](#)

#### **Feature**

#### **Trump To Unveil 4-Point Plan For Curbing Drug Prices**

President Donald Trump on Friday will target drug prices with a four-point plan intended to boost the negotiating power of private Medicare plans, reduce list prices, ease out-of-pocket costs and tackle "freeloading" by countries that more aggressively limit prices, according to senior administration officials. [Read more »](#)

#### **Analysis**

#### **New Tax Law's Impact On M&A Coming Into Focus**

The new federal tax law was expected to change how deals get structured, and four months after its enactment, it is becoming clear how the legislation is having an

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#### **LAW FIRMS**

Addleshaw Goddard  
Arnold & Porter  
Bailey Cavalieri  
Baker McKenzie  
Bancroft PLLC  
Barnes & Thornburg  
Bienert Miller  
Birch Horton  
Blank Rome  
Bracewell  
Bricker & Eckler  
Bryan Cave  
Butler Snow LLP  
Carter Ledyard  
Cary Kane  
Cleary Gottlieb  
Cotsirilos Tighe  
Covington & Burling  
DLA Piper  
Dechert  
Dentons  
Dickstein Shapiro  
Dilworth Paxson  
Dinsmore & Shohl  
Earthjustice  
Foley & Lardner  
Fredrikson & Byron

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impact on negotiations and tax planning strategies. [Read more »](#)

## Giuliani Resigns From Greenberg Traurig Amid Trump Work

Former federal prosecutor and New York City mayor Rudy Giuliani has resigned from Greenberg Traurig LLP just weeks after he joined President Donald Trump's legal team, the law firm confirmed on Thursday. [Read more »](#)

## BANKING & SECURITIES

### Crypto-Mining Poses Tax Headache For IRS, Panelist Says

The proliferation of cryptocurrency mining represents a tax administration hurdle for the Internal Revenue Service, an attorney with the agency told a conference audience Thursday in Washington, D.C. [Read more »](#)

### SEC Opens 'Best Interest' Broker Proposal To Public Comment

The U.S. Securities and Exchange Commission on Wednesday opened the public comment period on its proposal to hold brokers to a higher standard of care if they are giving advice to retail investors. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Analysis

### State-Federal Rift Pushes Power Markets To Breaking Point

Backlash against regional grid operator PJM Interconnection LLC's recent proposal to blunt the impact of state subsidies for clean energy in so-called capacity markets where power producers are paid to meet future demand highlights growing tensions between state and federal electricity policies that have experts questioning whether these markets have a viable future. [Read more »](#)

### Trump Policies And More Leave Oil Prices A Hazy Unknown

The fate of oil prices over the next year is hazy and fraught with potential volatility thanks to a cocktail of factors ranging from Trump administration policies, including the decision to pull out of the Iran nuclear deal, to decreased production out of Venezuela and constraints on the Permian Basin, experts told oil and gas industry professionals gathered in Houston on Thursday. [Read more »](#)

### EPA Floats Overhaul Of National Ozone Limits Review

The U.S. Environmental Protection Agency on Thursday said it will overhaul how it reviews national ozone limits by considering a range of adverse effects including economic and energy-related ones, following President Donald Trump's demand that the agency make it easier for states and industries to comply with national air emissions standards. [Read more »](#)

### Enviros' CRA Challenge Over Nixed Hunting Rule Gets Tossed

A federal judge on Wednesday threw out a lawsuit brought by an environmental group to challenge the constitutionality of the Congressional Review Act after it was used under the Trump administration to roll back a U.S. Fish and Wildlife Service rule prohibiting certain hunting and trapping practices on protected federal lands in Alaska. [Read more »](#)

### Feds Say Youth Climate Suit Defies Separation Of Powers

The federal government urged an Oregon federal judge Wednesday to toss a suit accusing federal agencies and the president of failing to protect future generations from the effects of climate change, arguing the relief sought in the case would violate the Constitution's separation of powers. [Read more »](#)

## REAL ESTATE

### Judge Stops Clock As Ohio Fights To Retain Soccer Team

Gass Weber  
Gibson Dunn  
Greenberg Traurig  
Herbert Smith Freehills  
Hodgson Russ  
Hogan Lovells  
Holland & Knight  
Jones Day  
Kaeske Law Firm  
Kessler Topaz  
Kirkland & Ellis  
Lane Powell  
Law Office of Louise A. Herman  
Linklaters  
Mayer Brown  
McDermott Will  
Miller & Chevalier  
Miller Mayer  
Mishcon de Reya  
Morgan Lewis  
Morrison & Foerster  
Norton Rose Fulbright  
Oblon  
Ogletree Deakins  
Perkins Coie  
Prickett Jones  
Proskauer Rose  
Quinn Emanuel  
Sanford Heisler  
Sedgwick LLP  
Shipman & Goodwin  
Sidley Austin  
Simpson Thacher  
Skadden  
Starn O'Toole  
Steptoe & Johnson LLP  
Wallace & Graham  
Wilkinson Barker

## COMPANIES

Amazon.com Inc.  
American Bar Association  
American Immigration Council  
American Immigration Lawyers Association  
American Legislative Exchange Council  
American Trucking Associations Inc.  
Apple Inc.  
Boehringer Ingelheim  
Boston Scientific Corporation

An Ohio judge has stopped the clock on the statutory period during which the Columbus Crew soccer team must field offers from potential buyers before it moves to Texas, in a case with implications on states' influence over sports teams that have received public assistance. [Read more »](#)

## EMPLOYMENT

### NLRB Members Signal Plans To Review Blocking-Charge Rule

Two Republican members of the National Labor Relations Board signaled Wednesday that the agency may soon revisit its decades-old policy of pausing union elections when a party alleges that workers' freedom to choose whether they want to be represented by a union has been infringed. [Read more »](#)

### NJ Lawmakers Advance Bill Limiting Noncompete Agreements

A New Jersey Assembly panel on Thursday advanced legislation to limit the scope of noncompete agreements amid concerns that the measure would jeopardize companies' efforts to protect their confidential information and drive away businesses from the state. [Read more »](#)

## CYBERSECURITY & PRIVACY

### As GDPR Looms, UK Biz Get Guidance On Consent Rules

The U.K.'s privacy regulator has issued its final guidance to businesses that will need to gain consent to process personal data under the European Union's General Data Protection Regulation, a sweeping new data regime that comes into force in just two weeks. [Read more »](#)

## CONSUMER PROTECTION

### Law Firm Cites Mulvaney In 9th Circ. Challenge To CFPB

A California law firm that's asking the Ninth Circuit to free it from a Consumer Financial Protection Bureau civil investigative demand pressed its challenge to the constitutionality of the agency's structure on Wednesday, citing recent criticism from CFPB acting Director Mick Mulvaney that the agency he leads "is far too powerful." [Read more »](#)

## GOVERNMENT CONTRACTS

### Attys Who Sued Hastert In FCA Row Spared Sanctions

Attorneys representing a would-be whistleblower in a False Claims Act suit against former U.S. House Speaker Dennis Hastert will not be sanctioned for filing the suit after settling the dispute with Hastert, an Illinois federal judge ruled Wednesday. [Read more »](#)

## AEROSPACE & DEFENSE

### Analysis

### Iran Deal Exit To Cast Shadow Over Future Negotiations

President Donald Trump's decision to withdraw from the 2015 Iran nuclear deal has cast the U.S. as an unreliable ally and negotiator in the eyes of both allies and adversaries, and the effects on future international deals will be hard to shake, attorneys say. [Read more »](#)

### Trump's Military Parade Stays In \$717B House Defense Bill

The House Armed Services Committee wrapped up consideration of its \$717 billion version of the 2019 National Defense Authorization Act early Thursday, with the final bill continuing to support President Donald Trump's proposed military parade,

Center for Biological Diversity Inc.

Center for Strategic and International Studies

Commerce and Industry

Association of New Jersey

Electric Reliability Council of Texas Inc.

Enbridge

Expedia Inc.

Facebook

Federal Bar Association

Federation for American Immigration Reform

Financial Industry Regulatory Authority Inc.

Finjan Holdings Inc.

Fitbit Inc.

Flipkart Internet Pvt. Ltd.

Fortress Investment Group LLC

Hobby Lobby Stores

ISO New England Inc.

Immigration Reform Law Institute

Intellicheck Mobilisa Inc.

International Brotherhood of Teamsters

MAPFRE SA

MGM Grand Hotel LLC

MGM Resorts International

Major League Soccer LLC

McAfee, Inc.

Melaleuca Inc.

Microsoft Corporation

Mohegan Sun

NFL Enterprises LLC

National Rifle Association of America

National Right to Work Legal Defense Foundation

Nevro Corp.

PJM Interconnection LLC

Pacific Legal Foundation

Professional Insurance Agents

QUALCOMM Incorporated

SK Hynix Inc.

Savills Studley Inc.

Schlumberger Limited

Shire PLC

Southwest Power Pool Inc.

State Bar of California

Takeda Pharmaceutical Co. Ltd.

Talen Energy Corp.

TripAdvisor Inc.

United Mine Workers of America

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among several contentious clauses. [Read more »](#)

## INTERNATIONAL TRADE

### Commerce Chief Ross Upbeat On China Trade Talks

Commerce Secretary Wilbur Ross said Thursday that he was optimistic about the Trump administration's ongoing trade discussions with China on everything from industrial policy to intellectual property rules, saying that last week's trip to Beijing laid a solid foundation for future talks. [Read more »](#)

### State Lawmakers Rally For NAFTA Investment Protection

As officials negotiating the North American Free Trade Agreement continued to huddle in Washington, D.C., Thursday to strike a final deal, a slew of state legislators pressed them to secure the agreement's controversial arbitration system for foreign investors. [Read more »](#)

## BANKRUPTCY

### GAO Proposes Tightening Debt To Address Puerto Rico Crisis

The Government Accountability Office has suggested increased federal regulation of Puerto Rico's issuing of debt will help it recover from its debt crisis, with the territory countering that the federal office overlooked the structural inequality underlying its financial condition. [Read more »](#)

## IMMIGRATION

### Analysis

### 3 Immigration Rules To Watch In Trump's Spring Agenda

The Trump administration published its spring regulatory agenda on Wednesday, highlighting proposed policies that would implement key structural changes at the office that oversees immigration courts, increase investment requirements for EB-5 visas and revoke a visa program for entrepreneurs. Here, immigration attorneys examine the key provisions to watch in the coming months. [Read more »](#)

### Open Immigration Cases Increase, DOJ Unit's Report Says

The number of pending immigration cases increased by 7 percent during the first six months of the current fiscal year, while the median completion time for cases involving detainees continued to tick down, according to new statistics from the federal Executive Office for Immigration Review. [Read more »](#)

### Immigration Group Sues 2nd Ind. City Over Welcoming Policy

The legal arm of an organization that calls for lower immigration levels on Wednesday filed its second lawsuit challenging the legality of ordinances in Indiana communities that call for the towns to be welcoming to immigrants and for authorities to not cooperate with federal immigration-related requests unaccompanied by court orders. [Read more »](#)

## NATIVE AMERICAN

### Enbridge, Tribe Slam ALJ Report Rejecting New Pipeline Route

The company behind a pipeline replacement project on Wednesday opposed an administrative law judge's recommendation that the company's new pipeline should be constructed only on the route of the one already there, a sentiment echoed by a Native American band. [Read more »](#)

### Conn. Tribal Casino Plan Gets Boost As Rival Bill Falls Short

The Connecticut General Assembly ended its legislative session late Wednesday without voting on a bill that could have paved the way for a proposed MGM Resorts

Viking Global Investors  
Wal-Mart Stores Inc.  
Wells Fargo & Co.  
Zillow Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Central Intelligence Agency  
Connecticut General Assembly  
Consumer Financial Protection Bureau  
European Union  
Executive Office for Immigration Review  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
Leech Lake Band of Ojibwe  
Mashantucket Pequot Tribal Nation  
Mohegan Tribe  
NAFTA  
National Labor Relations Board  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
Solicitors Regulation Authority  
U.S. Air Force  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Patent and Trademark Office

CLV000668

casino in Bridgeport, a project that would have posed a major obstacle to the Mohegan and Mashantucket Pequot's own plans to open a new casino in the state. [Read more »](#)

## TELECOMMUNICATIONS

### FCC Refuses To Reduce \$120M Robocalling Fine

The Federal Communications Commission on Thursday cemented a \$120 million spoofing fine against a Miami man, voting to ink the previously proposed penalty after finding that Adrian Abramovich's robocalling activity and former Telephone Consumer Protection Act violations were enough to merit the full amount. [Read more »](#)

### Net Neutrality Sunset Date Set For June

The Obama-era net neutrality rules that controlled how internet service providers treated online traffic and classified internet services as utilities will officially be wiped from the books on June 11, the Federal Communications Commission said Thursday morning. [Read more »](#)

### GWB Figures Say Salary Expenses Can't Sustain Convictions

Two former associates of ex-New Jersey Gov. Chris Christie told the Third Circuit on Wednesday that prosecutors have not proven they misused government resources worth at least \$5,000 in causing politically motivated gridlock at the George Washington Bridge, marking the threshold needed to sustain some of their convictions in the scandal. [Read more »](#)

## PEOPLE

### Dechert Adds Ex-White House Atty To Litigation Team

Dechert LLP has strengthened its global litigation practice with the addition of a former White House attorney who successfully steered Neil Gorsuch to his confirmation as a U.S. Supreme Court justice last year and helped the NFL spike Tom Brady's challenge to his suspension over the "Deflategate" scandal. [Read more »](#)

## EXPERT ANALYSIS

### Congressional Forecast: May

Congress returned to Washington, D.C., this week for a three-week work period before the Memorial Day recess. The Republican majority is aiming to meet deadlines on several priority items, including fiscal year 2019 appropriations bills and renewed program authorizations for agriculture, defense and the Federal Aviation Administration, say Layth Elhassani and Kaitlyn McClure of Covington & Burling LLP. [Read more »](#)

### Growing Caregiver Benefits In The US Workplace And Beyond

As Mother's Day approaches and more initiatives in the U.S. and around the world are aimed at increasing opportunities at work for working mothers (and caregivers more generally), attorneys with Baker McKenzie discuss recent benefits made available to these employees and review updates multinational employers need to know. [Read more »](#)

### The District Court Split On Pleading Indirect Infringement

District courts have diverged over the years as to what the proper standards should be for pleading indirect patent infringement. The Federal Circuit or Congress should resolve this inconsistency, says Joseph Saltiel of Dinsmore & Shohl LLP. [Read more »](#)

### 8 Reasons To Take A Fresh Look At Your Law Office Lease

[U.S. Senate](#)

[U.S. Supreme Court](#)

[United States Court of Appeals for the Third Circuit](#)

[World Trade Organization](#)



After moving into a new law office, tenants often file their signed leases away, figuring that the terms are set for a few years at least. However, leases can be very flexible instruments, and should be reviewed annually even if nothing seems amiss, says Tiffany Winne of Savills Studley Inc. [Read more »](#)

## LEGAL INDUSTRY

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### **Titan Of The Plaintiffs Bar: Sanford Heisler's David Sanford**

David Sanford of Sanford Heisler Sharp LLP enhanced his already prodigious reputation as a top-tier plaintiffs' side attorney over the past year by working to resolve high-profile gender discrimination suits against Chadbourne & Parke LLP and Sedgwick LLP, earning him a place among Law360's 2018 Titans of the Plaintiffs Bar. [Read more »](#)

#### **Review**

### **'RBG' An Intriguing Look At The Most Meme-Worthy Justice**

The new documentary "RBG" paints an entertaining portrait of U.S. Supreme Court Justice Ruth Bader Ginsburg and her contributions to American law and society, even as the film suggests that some of her most important work happened decades before she joined the high court. [Read more »](#)

### **Quinn Emanuel Ousts UK Atty After Misconduct Allegations**

Quinn Emanuel Urquhart & Sullivan LLP dismissed a London partner without pay on Tuesday following an investigation into allegations of improper behavior brought by two staffers, the firm said in a statement. [Read more »](#)

### **Calif. High Court Approves Rules Revamp For Atty Conduct**

For the first time since 1987, the California Supreme Court on Thursday approved major revisions to the rules of professional conduct for in-state attorneys, adding new guidelines that address advertising, conflicts of interest, sexual relations with clients, and a host of other concerns. [Read more »](#)

### **For-Profit Law School Sues ABA Over Enforcement Action**

Florida Coastal School of Law filed suit Thursday against the American Bar Association, which recently determined the school had failed to meet ABA standards, saying the association's enforcement actions have been inconsistent, its standards are vague and that the action against Florida Coastal was an "attack on diversity." [Read more »](#)

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Linklaters snagged the title of top legal lion this week, guiding Takeda in its \$62.1 billion acquisition of rare disease-focused drugmaker Shire, while Arnold & Porter ended up on the legal lambs list after a federal judge sanctioned the law firm for filing frivolous motions on behalf of Boston Scientific in a patent infringement suit. [Read more »](#)

#### **JOBS**

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#### **LAW FIRMS**

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[Gibson Dunn](#)

[Mayer Brown](#)

[Proskauer Rose](#)

[Sidley Austin](#)

[Simpson Thacher](#)

[Skadden](#)

Addleshaw Goddard  
Arnold & Porter  
Bailey Cavalieri  
Bancroft PLLC  
Barnes & Thornburg  
Bienert Miller  
Birch Horton  
Blank Rome  
Bracewell  
Bricker & Eckler  
Bryan Cave  
Butler Snow LLP  
Carter Ledyard  
Cary Kane  
Cleary Gottlieb  
Cotsirilos Tighe  
DLA Piper  
Dechert  
Dentons  
Dickstein Shapiro  
Dilworth Paxson  
Dinsmore & Shohl  
Earthjustice  
Foley & Lardner  
Fredrikson & Byron  
Gass Weber  
Greenberg Traurig  
Herbert Smith Freehills  
Hodgson Russ  
Hogan Lovells  
Holland & Knight  
Jones Day  
Kaeske Law Firm  
Kessler Topaz  
Lane Powell  
Law Office of Louise A. Herman  
Linklaters  
McDermott Will  
Miller & Chevalier  
Miller Mayer  
Mishcon de Reya  
Morgan Lewis  
Morrison & Foerster  
Norton Rose Fulbright  
Oblon  
Ogletree Deakins  
Perkins Coie  
Prickett Jones  
Quinn Emanuel  
Sanford Heisler  
Sedgwick LLP  
Shipman & Goodwin



Starn O'Toole  
Steptoe & Johnson LLP  
Wallace & Graham  
Wilkinson Barker

## COMPANIES

American Bar Association  
American Immigration Lawyers Association  
NFL Enterprises LLC  
Amazon.com Inc.  
American Immigration Council  
American Legislative Exchange Council  
American Trucking Associations Inc.  
Apple Inc.  
Boehringer Ingelheim  
Boston Scientific Corporation  
Center for Biological Diversity Inc.  
Center for Strategic and International Studies  
Commerce and Industry Association of New Jersey  
Electric Reliability Council of Texas Inc.  
Enbridge  
Expedia Inc.  
Facebook  
Federal Bar Association  
Federation for American Immigration Reform  
Financial Industry Regulatory Authority Inc.  
Finjan Holdings Inc.  
Fitbit Inc.  
Flipkart Internet Pvt. Ltd.  
Fortress Investment Group LLC  
Hobby Lobby Stores  
ISO New England Inc.  
Immigration Reform Law Institute  
Intellicheck Mobilisa Inc.  
International Brotherhood of Teamsters  
MAPFRE SA  
MGM Grand Hotel LLC  
MGM Resorts International  
Major League Soccer LLC  
McAfee, Inc.  
Melaleuca Inc.  
Microsoft Corporation  
Mohegan Sun  
National Rifle Association of America  
National Right to Work Legal Defense Foundation  
Nevro Corp.  
PJM Interconnection LLC  
Pacific Legal Foundation  
Professional Insurance Agents  
QUALCOMM Incorporated  
SK Hynix Inc.

Savills Studley Inc.  
Schlumberger Limited  
Shire PLC  
Southwest Power Pool Inc.  
State Bar of California  
Takeda Pharmaceutical Co. Ltd.  
Talen Energy Corp.  
TripAdvisor Inc.  
United Mine Workers of America  
Viking Global Investors  
Wal-Mart Stores Inc.  
Wells Fargo & Co.  
Zillow Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
Executive Office of the President  
U.S. Department of Justice  
Executive Office for Immigration Review  
Federal Communications Commission  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Senate  
Federal Bureau of Investigation  
NAFTA  
Securities and Exchange Commission  
U.S. Department of the Interior  
U.S. Department of the Treasury  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Central Intelligence Agency  
Connecticut General Assembly  
Consumer Financial Protection Bureau  
European Union  
Federal Aviation Administration  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
Leech Lake Band of Ojibwe  
Mashantucket Pequot Tribal Nation  
Mohegan Tribe  
National Labor Relations Board  
Port Authority of New York & New Jersey  
Solicitors Regulation Authority  
U.S. Air Force  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Homeland Security

U.S. Department of Labor  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
United States Court of Appeals for the Third Circuit  
World Trade Organization

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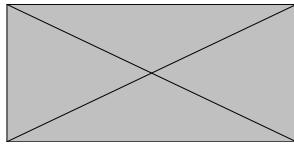
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 4/10/2017 8:43:30 AM  
**Subject:** [Marketing Mail] 4 Supreme Court Cases Justice Gorsuch Could Sway



**PUBLIC POLICY**

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**Monday, April 10, 2017**

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## **TOP NEWS**

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### **Analysis**

#### **4 Supreme Court Cases Justice Gorsuch Could Sway**

After a number of deadlocks in the past year, the U.S. Supreme Court now has a ninth justice and a long list of cases awaiting its input. Here, Law360 looks at four cases that could be swayed by Justice Neil Gorsuch.

### **Analysis**

#### **The Rocky Road To The Confirmation Of Judge Neil Gorsuch**

The fight over the late Justice Antonin Scalia's seat started hours after his death in February 2016 and lasted through Judge Neil Gorsuch's confirmation to the U.S. Supreme Court bench on Friday. Here, Law360 revisits the major events along the way.

#### **Trump, Xi Cement 100-Day Plan To Craft Trade Agenda**

President Donald Trump and Chinese President Xi Jinping forged an agreement Friday to launch new trade consultations within 100 days, with increasing U.S. exports and trimming the trade deficit with Beijing looming as the administration's primary goals.

#### **Senate Leader Brushes Off Bipartisan Approach To Tax Redo**

Senate Majority Leader Mitch McConnell, R-Ky., dismissed the idea of a bipartisan approach to revamping tax laws Friday while chastising Democrats for supposedly being uninterested in economic growth.

### **Analysis**

#### **Texas Bill May Fix Cos.' Unequal Footing In Atty Fee Fights**

The Texas Senate is poised to consider a proposal to expand when attorneys' fees are recoverable in commercial contract disputes in a bill that lawyers say would level the playing ground for all types of business entities in the wake of court decisions that have barred recouping those litigation expenses from partnerships.

### **Analysis**

#### **Pai Unlikely To Quell Politics At FCC With Economics Push**

Federal Communications Commission Chairman Ajit Pai said Wednesday he wants to more heavily weigh the economic impacts of potential agency decision-making in the future, a goal experts say isn't necessarily partisan but also won't fundamentally alter the politics that often drive agency decisions.

### **Analysis**

#### **Calif. Cap-And-Trade Ruling Won't Settle Program's Fate**

A California appeals court ruling upholding the state's greenhouse gas cap-and-trade program put the initiative on firmer ground, but a possible appeal to the state Supreme Court and potential actions by the Legislature and regulatory agencies still obscure its future.

#### **ACA Markets Likely To Stabilize In 2017, S&P Global Says**

## **LAW FIRMS**

Ahmad Zavitsanos  
Alston & Bird  
Balch & Bingham  
Bass Berry  
Blank Rome  
Bradley Arant  
Brown Rudnick  
Bryan Cave  
Buchanan Ingersoll  
Butler Snow LLP  
Chadbourne & Parke  
Cozen O'Connor  
Davis Wright Tremaine  
Dentons  
Dewey & LeBoeuf  
Dorsey & Whitney  
Greenberg Traurig  
Harman Claytor  
Harris Wiltshire  
Hinckley Allen  
Hogan Lovells  
Holland & Knight  
Jones Day  
Kilpatrick Townsend  
Kirkland & Ellis  
Latham & Watkins  
Linklaters  
Manatt Phelps  
Mayer Brown  
Meyers Nave  
Morgan Lewis  
Osler Hoskin  
Reed Smith  
Roberts Markel  
Ropes & Gray  
Sanford Heisler  
Sauer & Wagner  
Sedgwick LLP  
Seward & Kissel

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Affordable Care Act marketplaces are likely to steadily improve in the coming year and be increasingly profitable for insurers, assuming that no major changes are made by regulators or Congress, according to a report Friday from S&P Global.

### **Gorsuch To Take High Court Post After Senate Confirmation**

The Senate confirmed Tenth Circuit Judge Neil Gorsuch to the U.S. Supreme Court Friday, following a months-long partisan battle over the future of the Court and Senate that saw Republicans decry political attacks and an unsuccessful Democratic filibuster.

## **BANKING & SECURITIES**

### **Fed Taps Powell To Take Over Regulations**

Federal Reserve Gov. Jerome Powell on Friday took over the lead role in the central bank's supervisory and regulatory efforts related to the country's biggest banks, a position vacated earlier in the week by Daniel Tarullo.

### **NY Fed President Outlines Potential Regulatory Tweaks**

The president of the Federal Reserve Bank of New York on Friday said that while regulations put in place after the 2008 financial crisis strengthened the financial system, the time is right to take a second look at several key post-crisis rules.

### **SEC Says It Won't Police Conflict Minerals Rule**

The U.S. Securities and Exchange Commission said Friday it won't enforce a rule requiring companies to publicly disclose whether products contain minerals pulled from Central African war zones while it resolves "regulatory uncertainties" after a D.C. federal judge shot down a portion of the requirement.

## **ENERGY & ENVIRONMENTAL**

### **Alaska Sens. Float Bill To Undo Obama Arctic Drilling Ban**

The two Republican Senators from Alaska on Friday announced that they have introduced a piece of legislation that would repeal former President Barack Obama's executive order to withdraw certain portions of the United States' Arctic Outer Continental Shelf from oil and gas leasing.

### **Senate Dems Question Pruitt's Plan to Address CO2 Pollution**

Nearly two dozen Senate Democrats asked Environmental Protection Agency chief Scott Pruitt on Friday to clarify how the agency will protect public health from greenhouse gas pollutants without the Clean Power Plan in light of comments he made on television about not believing carbon dioxide was the primary contributor to global warming.

### **Calif. AG Seeks Docs On EPA Head's Ethics Rules Compliance**

California Attorney General Xavier Becerra on Friday filed a Freedom of Information Act request to the U.S. Environmental Protection Agency seeking records relating to compliance with federal ethics standards by agency head Scott Pruitt.

### **Minn. House OKs Bill Easing Pipeline's Path To Approval**

The Minnesota House of Representatives on Thursday passed an omnibus jobs and energy bill that included an amendment that, if signed into law, would exempt a major proposed pipeline project from a key regulatory hurdle.

### **Zinke Fills Two Department Of The Interior Roles**

U.S. Department of the Interior Secretary Ryan Zinke announced Thursday the appointment of two women to deputy assistant secretary roles, hiring moves the department described as helping to accomplish President Donald Trump's "priorities to put America first."

## **HEALTH & LIFE SCIENCES**

Seyfarth Shaw  
Shearman & Sterling  
Sidley Austin  
Sterne Kessler  
Stris & Maher  
Susman Godfrey  
Thompson & Knight  
Wachtel Missry  
Willkie Farr  
WilmerHale  
Wolf Haldenstein  
Wright & Close LLP

## **COMPANIES**

3M Company  
AT&T Inc.  
American Bar Association  
American Cable Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Federation of State, County and Municipal Employees  
Associated Press  
Association of Corporate Counsel  
Bain & Company Inc.  
Bank of America Corporation  
Blue Cross and Blue Shield Association  
BlueCross BlueShield of North Carolina  
Bridgewater Associates LP  
Center for American Progress  
Comcast Corporation  
Enbridge  
Energy Future Holdings  
Epic Systems Corp.  
Ernst & Young  
Facebook  
Google Inc.  
HBR Consulting LLC  
Hobby Lobby Stores  
Justia Inc.  
Lambda Legal Defense & Educational Fund  
Liberty Mutual  
LinkedIn Corp.  
Los Angeles Dodgers  
Lyft Inc.  
Maxor National Pharmacy Services LLC  
McLane Company Inc.

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## Health Hires: Vt. SG To Stris, BCBS In-House To Kilpatrick

Stris & Maher LLP has opened a Vermont office led by two of the state's top attorneys; in-house counsel at Blue Cross and Blue Shield of North Carolina has rejoined Kilpatrick Townsend & Stockton LLP; Maxor National Pharmacy Services LLC has named a new general counsel; Hinckley Allen & Snyder LLP has a new health care partner from Brown Rudnick LLP; and Cozen O'Connor has brought on a government relations professional focused on health care policy.

## 4th Circ. Won't Hear Grimm Bathroom Ban Suit By Graduation

A Fourth Circuit panel reluctantly denied transgender high school student Gavin Grimm's request that his challenge of his Virginia school's bathroom rule be heard before graduation and lifted an order barring enforcement, with two members likening him to plaintiffs who fought landmark legal battles against slavery, segregation and marriage inequality.

## TRANSPORTATION & INFRASTRUCTURE

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## Trump Picks Lyft GM For DOT's No. 3 Spot

Lyft Inc.'s Southern California general manager, Derek Kan, will be tapped to serve as the U.S. Department of Transportation's undersecretary for policy, the No. 3 position at the department, the White House announced Thursday.

## FAA Slams Georgetown Groups' Flight Paths Challenge

The Federal Aviation Administration on Thursday fired back at Georgetown University and local neighborhood groups seeking to have the D.C. Circuit block the agency from routing aircraft over their historic neighborhood under newly implemented flight paths, saying that the groups' petition comes too late.

## EMPLOYMENT

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## OSHA Delays Rule Limiting Silica Exposure

The U.S. Department of Labor said Thursday it has delayed for 90 days the implementation of its new rule halving the maximum allowable level of silica exposure in the construction industry, citing a need to reach out to stakeholders and provide educational materials and guidance to employers.

## Ill. Gov. Goes After AG In State Employee Pay Row

Gov. Bruce Rauner on Friday told an Illinois appeals court that Attorney General Lisa Madigan's motives are political, and not legal, in her case seeking to halt pay for 63,000 state workers in the midst of a historic budget crisis in the state.

## Trans Puerto Ricans Sue To Change Sex On Birth Certificates

Four transgender Puerto Ricans and an LGBT advocacy organization on Thursday sued three of the territory's officials in federal court for categorically refusing to let them change their gender on their birth certificates, citing a host of constitutional concerns.

## PRIVACY & CONSUMER PROTECTION

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## US Drops Demand For Twitter To Unmask Anti-Trump Tweeter

The U.S. government backed down Friday on its demand that Twitter Inc. unmask the identity of the user behind an anonymous account critical of the Trump administration's immigration policies, withdrawing a summons a day after the company sued the government in California federal court to block the request.

## GOVERNMENT CONTRACTS

Michelin Group  
Mobilitie LLC  
Monsanto Company  
Murphy USA Inc.  
National Association of Broadcasters  
Natural Resources Defense Council  
New York University  
Nortel Networks Corporation  
Public Knowledge  
S&P Global Inc.  
Shea Homes LLC  
Sierra Club  
Sprint Nextel Corporation  
Tidewater, Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
United Steelworkers  
Verizon Communications  
Washington Mutual Inc.  
Wolverine World Wide Inc.

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Labor Statistics  
Bureau of Land Management  
California Environmental Protection Agency  
Department of Commerce  
Equal Employment Opportunity Commission  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Reserve Bank of NY  
Federal Reserve System  
Federal Trade Commission  
Fish and Wildlife Service  
Illinois Supreme Court  
Internal Revenue Service  
Judicial Conference of the United States  
NAFTA  
National Economic Council  
National Labor Relations Board  
National Park Service  
National Railroad Passenger Corporation

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### **'Implausible' Whistleblower Testimony Nixes Hastert FCA Suit**

An Illinois federal judge dismissed a False Claims Act suit filed against former U.S. House Speaker Dennis Hastert Thursday over the ex-congressman's alleged misuse of government funds, saying he didn't believe the whistleblower's "implausible" claim to being the original source of the allegations.

## **INTERNATIONAL TRADE**

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### **WTO Members Rap Mexico For Import Licenses, Lax IP Rules**

The World Trade Organization wrapped up a sweeping review of Mexico's trade policies Friday, with members generally commending the nation for a commitment to open trade but demanding action to cut down on the use of import licensing measures and improve its intellectual property enforcement.

### **House Dems Push Latest Bill To Fight Currency Manipulation**

Three House Democrats introduced legislation Thursday that would allow the Department of Commerce to impose countervailing duties on imported goods to offset the impact of currency manipulation on U.S. industry, citing President Donald Trump's lack of action on trade policy despite his campaign promises to do so.

## **TAX**

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### **IRS Won't Apply Appeals Court Rulings To Most Taxpayers**

Two separate court rulings in which the IRS suffered a defeat over tax breaks and an accounting method used by real estate developers and a retailer will not be applied to most other taxpayers in similar situations, the revenue agency said Friday.

### **Ill. Financial Shape Still Declining, Watchdog Group Finds**

Illinois' revenues grew modestly in March, according to a new report from the state's in-house fiscal watchdog, but the state is still far behind in tax receipts as it approaches the end of its fiscal year.

## **BANKRUPTCY**

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### **Looming Judge Crisis Could 'Cripple' Del. Bankruptcy Court**

The federal court system's policymaking body said Friday that the Delaware bankruptcy court, one of the busiest in the nation, could be "crippled" if Congress does not enact recommended legislation to make the court's five temporary judgeships permanent.

## **TELECOMMUNICATIONS**

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### **Senate Dems Float Bill To Revive Nixed FCC Privacy Rules**

Democratic lawmakers led by Sen. Edward J. Markey, D-Mass., flexed their legislative muscle on Thursday by introducing a bill that would restore the Federal Communications Commission's broadband privacy rules that were repealed earlier in the week with a signature by President Donald Trump.

### **Net Neutrality Advocates Decry Reported Pai Plans**

Reports that Federal Communications Commission Chairman Ajit Pai met privately with industry leaders to outline plans to roll back the 2015 net neutrality rules are sparking outrage among Democratic leaders and open-internet advocates.

### **Broadcasters Keep Pushing For Post-Auction Flexibility**

Occupational Safety and Health Administration

Securities and Exchange Commission

Texas State Senate

U.S. Agency for International Development

U.S. Customs and Border Protection

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Senate

U.S. Supreme Court

United Nations



The National Association of Broadcasters has continued to push the Federal Communications Commission for greater flexibility for TV stations transitioning after the broadcast incentive auction, saying Thursday the FCC should be sensitive to service changes.

### **Sprint Pushes FCC Intervention On Local Gov't Barriers**

Sprint Corp. is further pressing the Federal Communications Commission to impose more regulations on how state and local governments must interact with service providers as demands increase for wireless service infrastructure.

## **PEOPLE**

### **Shearman & Sterling Welcomes Back Ex-SEC Chief Of Staff**

A former chief of staff at the U.S. Securities and Exchange Commission has returned to Shearman & Sterling LLP's New York office as a partner, bolstering the firm's capital markets and corporate governance practices with financial regulatory experience from the public side.

## **EXPERT ANALYSIS**

### **Trump's Infrastructure Plan: Getting The Show On The Road**

Presidential candidate Donald Trump called for the investment of \$1 trillion in infrastructure over 10 years. However, the Trump administration's budget proposal shows cuts in government spending on transportation and water infrastructure. A clear, bipartisan plan to harness both public and private funds, and to streamline the permitting process, is needed for success, says G. Christian Roux of Alston & Bird LLP.

### **Defective Process Cripples Class Action Proposal**

As the current effort to pass H.R.985 eludes constitutional problems as well as the Rules Enabling Act, one must ask whether the entire edifice of the new law will ultimately collapse upon congressional-authority problems, says Fred Taylor Isquith of Wolf Haldenstein Adler Freeman & Herz LLP.

### **Can Citizen Groups Compel Ash Pond Closure By Removal?**

While *Sierra Club v. Virginia Electric and Power* may be only one of several cases dealing with Clean Water Act liability, the court in this matter is on the leading edge of cases considering whether to grant citizen groups' preferred relief of forcing a utility to close by removal instead of closing and capping in place, says Steven Burns of Balch & Bingham LLP.

### **Questions Surrounding France's 'Right To Disconnect'**

The newly created right of French employees to disconnect from their digital devices after work is somewhat undefined despite high publicity. Work-related stress is an issue in the U.K. as well, but the prospects of new legislation similar to the French "right to disconnect" seem remote, say attorneys with Bryan Cave LLP.

### **Crowdfunding For Legal Cases: 5 Trends Reshaping Justice**

Most people have never had an opportunity to personally take part in a legal case that directly challenges laws or policies they don't agree with. Now that crowdfunding is available for legal cases, people can engage directly with legal change in the community and be a check on the powerful, says Julia Salasky, CEO of CrowdJustice.

## **LEGAL INDUSTRY**

### **Analysis**

### **How Law Firms Can Compete With Alt Service Providers**

As an ever-expanding marketplace of alternative service providers becomes the new normal for law departments in search of lower-cost work, the law firms whose work



they threaten are learning to live by the old adage, "If you can't beat 'em, join 'em." Here, Law360 looks at how law firms can curb the threat and compete with alternative service providers.

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

The DOL rolls out a program to ensure U.S. workers don't lose jobs to H-1B visa holders, Senate Democrats push ISPs on consumer privacy protections despite a rollback of related FCC rules, and for the first time, a federal appeals court finds that Title VII covers discrimination on the basis of sexual orientation. Those stories top the corporate legal news you may have missed last week.

### **Legal Industry Loses Jobs For Third Straight Month**

The legal sector shed another 1,500 jobs in March as the Bureau of Labor Statistics on Friday reported a third consecutive month of losses in a continued downward slide for the industry since the beginning of 2017.

### **Sedgwick Lawyer's Gender Bias Case Nears Settlement**

A Sedgwick LLP partner who sued the firm for allegedly short-changing her and other female lawyers is nearing a settlement deal, according to a Friday filing.

### **BofA Lost \$11M In Dewey's Last Days, Jury Hears At Retrial**

Bank of America lost \$11 million when it sold off debt held by Dewey & LeBoeuf LLP before the megafirm crashed, a bank representative testified on Friday at the retrial of two former executives accused of defrauding the bank and others.

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

#### **JOBS**

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#### **LAW FIRMS**

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[Seyfarth Shaw](#)  
[Ahmad Zavitsanos](#)  
[Alston & Bird](#)  
[Balch & Bingham](#)  
[Bass Berry](#)  
[Blank Rome](#)  
[Bradley Arant](#)  
[Brown Rudnick](#)  
[Buchanan Ingersoll](#)  
[Butler Snow LLP](#)  
[Chadbourne & Parke](#)  
[Cozen O'Connor](#)  
[Davis Wright Tremaine](#)  
[Dentons](#)  
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Jones Day  
Kilpatrick Townsend  
Kirkland & Ellis  
Latham & Watkins  
Linklaters  
Manatt Phelps  
Mayer Brown  
Meyers Nave  
Osler Hoskin  
Reed Smith  
Roberts Markel  
Ropes & Gray  
Sanford Heisler  
Sauer & Wagner  
Sedgwick LLP  
Seward & Kissel  
Shearman & Sterling  
Sidley Austin  
Sterne Kessler  
Stris & Maher  
Susman Godfrey  
Thompson & Knight  
Wachtel Missry  
Willkie Farr  
WilmerHale  
Wolf Haldenstein  
Wright & Close LLP

#### COMPANIES

AT&T Inc.  
American Bar Association  
American Civil Liberties Union  
Comcast Corporation  
Verizon Communications  
American Federation of Labor and Congress of Industrial Organizations  
Ernst & Young  
Public Knowledge  
Twitter Inc.  
3M Company  
American Cable Association  
American Federation of State, County and Municipal Employees  
Associated Press  
Association of Corporate Counsel  
Bain & Company Inc.  
Bank of America Corporation  
Blue Cross and Blue Shield Association  
BlueCross BlueShield of North Carolina  
Bridgewater Associates LP  
Center for American Progress  
Enbridge

Energy Future Holdings  
Epic Systems Corp.  
Facebook  
Google Inc.  
HBR Consulting LLC  
Hobby Lobby Stores  
Justia Inc.  
Lambda Legal Defense & Educational Fund  
Liberty Mutual  
LinkedIn Corp.  
Los Angeles Dodgers  
Lyft Inc.  
Maxor National Pharmacy Services LLC  
McLane Company Inc.  
Michelin Group  
Mobilitie LLC  
Monsanto Company  
Murphy USA Inc.  
National Association of Broadcasters  
Natural Resources Defense Council  
New York University  
Nortel Networks Corporation  
S&P Global Inc.  
Shea Homes LLC  
Sierra Club  
Sprint Nextel Corporation  
Tidewater, Inc.  
U.S. Chamber of Commerce  
United Steelworkers  
Washington Mutual Inc.  
Wolverine World Wide Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
Federal Communications Commission  
U.S. Department of Justice  
Department of Commerce  
Executive Office of the President  
Federal Trade Commission  
Judicial Conference of the United States  
Securities and Exchange Commission  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Labor Statistics  
Bureau of Land Management  
California Environmental Protection Agency  
Equal Employment Opportunity Commission  
Federal Aviation Administration

Federal Bureau of Investigation  
Federal Reserve Bank of NY  
Federal Reserve System  
Fish and Wildlife Service  
Illinois Supreme Court  
Internal Revenue Service  
NAFTA  
National Economic Council  
National Labor Relations Board  
National Park Service  
National Railroad Passenger Corporation  
Occupational Safety and Health Administration  
Texas State Senate  
U.S. Agency for International Development  
U.S. Customs and Border Protection  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
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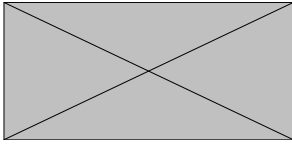
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 12/11/2018 8:55:48 AM  
**Subject:** Supreme Court Agrees To Reconsider 'Auer' Deference



**PUBLIC POLICY.**

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**Tuesday, December 11, 2018**

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## TOP NEWS

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### Supreme Court Agrees To Reconsider 'Auer' Deference

The U.S. Supreme Court on Monday agreed to reconsider a key precedent of administrative law that tells judges to defer to an agency's interpretation of its own ambiguous regulation, taking up a challenge to so-called Auer or Seminole Rock deference, which has been criticized by several conservative justices on the court. [Read full article »](#)

### 9th Circ. Won't Stay Order Blocking Trump's Asylum Policy

The Ninth Circuit on Friday rejected the Trump administration's request to allow its rule stripping asylum eligibility from migrants who cross the southern border outside a designated port of entry to go into effect while a lower court order blocking the policy is on appeal. [Read full article »](#)

### DC Circ. Balks At Reversing Pentagon Transgender Move

Advocacy groups trying to overturn President Donald Trump's policy on transgender people serving in the military faced pointed queries from a D.C. Circuit panel on Monday as to why courts should not defer to the Pentagon's judgment on decisions regarding combat readiness. [Read full article »](#)

#### Analysis

### Narrowed EU Digital Tax Delays Pain For Nondigital Firms, Too

The European Union's decision to drastically limit the scope of its digital tax proposal was welcome news to large multinational corporations in the online sector — as well as those that likely don't consider themselves digital companies. [Read full article »](#)

### Barr, Delrahim Offered Dueling Accounts Of AT&T Merger Talk

President Donald Trump's announcement Friday naming Kirkland & Ellis LLP attorney William Barr to replace ousted Attorney General Jeff Sessions has rekindled interest in a contentious meeting between Barr and the heads of the U.S. Department of Justice's Antitrust Division that Barr once found "disturbing." [Read full article »](#)

## BANKING & SECURITIES

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### Hong Kong, China Exchanges Expand Mutual Access Program

The Stock Exchange of Hong Kong and its Shanghai and Shenzhen equivalents said in a joint statement Sunday they have reached an agreement to enhance the mutual market access program between mainland China and Hong Kong. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

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### NY Attorney General Seeks To Sink Exxon Climate Appeal

New York's attorney general on Friday asked the Second Circuit to dismiss Exxon Mobil Corp.'s bid to halt the state's climate change probe into the energy giant, saying

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## LAW FIRMS

Akin Gump  
Alston & Bird  
Arnold & Porter  
Baker McKenzie  
Ballard Spahr  
Blank Rome  
Bradley Arant  
Briggs and Morgan  
Buchanan Ingersoll  
Cohen Milstein  
Cravath Swaine  
Dentons  
Drummond Woodsum  
Earthjustice  
Foley Hoag  
Fox Horan  
Gibbons PC  
Herbert Smith Freehills  
Hueston Hennigan  
Jones Day  
Kanji & Katzen  
Kelly Remmel  
King & Spalding  
Kirkland & Ellis  
Littler Mendelson  
Lowenstein Sandler  
Mayer Brown  
McCarter & English  
McDermott Will  
McGlinchey Stafford  
Paul Weiss  
Pierce Bainbridge

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the investigation is completed and a civil enforcement action has already been filed based on the results. [Read full article »](#)

### Sierra Prodded On Why It Didn't Challenge EPA Rule

D.C. Circuit judges on Monday questioned the Sierra Club on why it hasn't formally asked the U.S. Environmental Protection Agency to rewrite a rule on how states handle public feedback on air quality monitoring plans if the group objects to the changes. [Read full article »](#)

## HEALTH & LIFE SCIENCES

### Judge Mulls Several Outcomes For NY Opioid Surcharge Law

A Manhattan judge probed the pharmaceutical industry's attack on New York's \$600 million levy on the opioid industry and the state's defense of the law at a Monday hearing, asking questions that suggested a range of outcomes were on the table between letting the law be and striking it down. [Read full article »](#)

### FDA Hit With Suit Over Reporting Leeway For Clinical Trials

A New York University faculty member and a former U.S. Food and Drug Administration official have hit the agency with a suit challenging a rule they said relaxed the reporting requirements for researchers doing certain clinical trials. [Read full article »](#)

## MEDIA & ENTERTAINMENT

### Mass. Can't Ban Secret Recording Of Officials, Police

A blanket ban on secret audio recording in Massachusetts is unconstitutional when the person being recorded is a government official or a police officer performing their duties in public, a federal judge ruled Monday, granting a partial win to a conservative provocateur journalist and two activists in two cases. [Read full article »](#)

### Trump Campaign, WikiLeaks Seek To Kill DNC Hacking Suit

The Trump campaign and WikiLeaks asked a New York federal court to toss the Democratic National Committee's suit over a pre-election email hack, saying Friday that the suit runs counter to the First Amendment and doesn't sufficiently allege they violated privacy and intellectual property laws. [Read full article »](#)

## EMPLOYMENT

### NLRB Aims To Speed Up Case-Handling By 20 Percent

The National Labor Relations Board is aiming to cut the time it takes to resolve labor disputes by a fifth over the next four years, according to a strategic plan the agency released Friday. [Read full article »](#)

### NLRB Extends Comment Deadline For Joint Employer Rule

The National Labor Relations Board on Monday again pushed back the deadline for public feedback on its proposed rule for analyzing whether two businesses jointly employ workers, giving potential commenters until mid-January to give feedback. [Read full article »](#)

### Ex-Nuclear Workers Need Clear Info For DOL Claims: GAO

The Government Accountability Office has said the U.S. Department of Labor must provide clearer information to former nuclear weapons production workers on how they can seek monetary compensation for illnesses caused by exposure to toxins. [Read full article »](#)

## COMPETITION

Proskauer Rose  
Quinn Emanuel  
Ropes & Gray  
Schiff Hardin  
Selendy & Gay  
Steptoe & Johnson LLP  
Susman Godfrey  
Waide & Associates  
Wigdor LLP  
WilmerHale  
Winston & Strawn

## COMPANIES

AT&T Inc.  
Alibaba Group Holdings Ltd.  
Amazon.com Inc.  
American Arbitration Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
Apple Inc.  
Association for Accessible Medicines  
Black Hills Corporation  
Cable News Network Inc.  
Center for Constitutional Rights  
Chevron Corp.  
Computer & Communications Industry Association  
Democratic National Committee  
Digital Realty Trust Inc.  
ESPN Inc.  
EisnerAmper LLP  
Entergy Corp.  
Equifax Inc.  
Exxon Mobil Corp.  
Facebook  
Faculty Athletics Representatives Association  
Fiat Chrysler Automobiles NV  
Food Network  
Ford Motor Co.  
General Motors  
Google Inc.  
HSBC Holdings PLC  
Hong Kong Exchanges and Clearing  
Iconix Brand Group, Inc.  
Intel Corp.  
International Business Machines Corp.  
KPMG International

## EU Approves Germany's €350M Per Year Rail Freight Plan

Europe's competition enforcer said Monday that it has approved Germany's plan to invest up to €350 million (\$397.5 million) per year over the next several years to help move freight traffic from the roads to the rails, after finding the scheme is in line with the bloc's state aid rules. [Read full article »](#)

## Australian Watchdog Calls For Digital Platform Regulation

Australia's competition and consumer protection watchdog raised concerns Monday over Facebook and Google's dominance and their effect on the media industry, calling for more regulatory oversight and other fixes for the digital platforms. [Read full article »](#)

## CYBERSECURITY & PRIVACY

### EU Greenlights Controversial Cross-Border Data Access Bill

The European Union is moving forward with a bill that will allow authorities in criminal proceedings to more easily reach across national boundaries for digital evidence, despite mixed support from member states and criticism from industry groups. [Read full article »](#)

### House Committee Slams Equifax Over 'Preventable' Breach

The U.S. House Oversight and Government Reform Committee on Monday bashed Equifax for what the lawmakers called an "entirely preventable" data breach last year that compromised more than 148 million consumers' personal information, saying that the credit reporting giant had allowed hundreds of security certificates to expire and was woefully unprepared to handle the incident. [Read full article »](#)

## INTERNATIONAL TRADE

### Trump's NAFTA Withdrawal Threat Irks Centrist Dems

A group of moderate Democratic lawmakers met with U.S. Trade Representative Robert Lighthizer on Monday and expressed their discontent with President Donald Trump's threat to withdraw from the North American Free Trade Agreement in order to force a vote on a revised version of the pact. [Read full article »](#)

### Looming Japan Trade Talks Tee Up Bitter Fight In Auto Sector

A top trade group representing U.S. automakers on Monday urged the Trump administration to pry open the Japanese market in upcoming trade talks with Tokyo just as labor advocates called for leaving automotive trade out of the talks altogether. [Read full article »](#)

## TAX

### Renewal Of Extenders Absent From Revised Year-End Tax Bill

A revised year-end tax package, released Monday by House Ways and Means Committee Chairman Kevin Brady, R-Texas, diverges from an earlier version by declining to address so-called extenders, which would revive expired tax credits retroactively. [Read full article »](#)

## IMMIGRATION

### DHS Watchdog To Probe If Detention Caused Toddler's Death

The U.S. Department of Homeland Security's internal watchdog has launched a probe into the death of a toddler who died soon after being released from an Immigration and Customs Enforcement lockup, a DHS spokesperson said Monday. [Read full article »](#)

### US Citizen Kids Ask High Court To Halt Dad's Deportation

The children of an unauthorized Mexican immigrant have asked the U.S. Supreme

LinkedIn Corp.  
Merck & Co Inc.  
Microsoft Corporation  
National Center for Lesbian Rights  
National Rifle Association of America  
Natural Resources Defense Council  
New Jersey State Bar Association  
New York University  
Orion Energy Systems, Inc  
PAREXEL International Corporation  
Planned Parenthood Federation  
Power Solutions International Inc.  
Public Service Enterprise Group Inc.  
QUALCOMM Inc.  
ROC Nation LLC  
Shanghai Stock Exchange Ltd.  
Shenzhen Stock Exchange  
Sierra Club  
Snap Inc.  
Sonos Inc.  
Southern Poverty Law Center  
Sprint Nextel Corporation  
State Bar of Texas  
T-Mobile USA Inc.  
The American Law Institute  
The Bank of Nova Scotia  
The Gap Inc.  
The Wireless Internet Service Providers Association  
Tribune Media Co.  
Twitter Inc.  
U.S. Chamber of Commerce  
United Auto Workers  
Verizon Communications Inc.  
Warner Media LLC  
eBay Inc.

## GOVERNMENT AGENCIES

Antitrust Modernization Commission  
Commodity Futures Trading Commission  
Confederated Tribes of the Colville Reservation  
Congressional Budget Office  
European Commission  
European Union  
Federal Communications Commission  
Federal Energy Regulatory

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Court to review whether they, as American citizens, can claim a violation of their constitutional rights due to their father's deportation. [Read full article »](#)

### AGs, Public Push Back On DHS 'Public Charge' Rule Change

The Trump administration's proposal to allow green card and visa applications to be denied based on the applicant's likelihood of using public benefits in the future drew nearly 200,000 public comments as the U.S. Department of Homeland Security kept its mailbox open Monday for the last day of submissions. [Read full article »](#)

## NATIVE AMERICAN

### House OKs Bill To Spur Tribes' Energy Projects

The U.S. House of Representatives approved a bill Monday that will allow Native American tribes to take more control over energy development on their lands, teeing the legislation up for signature by President Donald Trump. [Read full article »](#)

### Tribe Fights For Water Quality Rule In Maine's EPA Suit

A tribe countering Maine's suit against the U.S. Environmental Protection Agency is pressing a federal court to declare that the state cannot lower water quality standards on the Penobscot River's main stem because it must be free from pollution so the tribe can maintain its fishing culture. [Read full article »](#)

## TELECOMMUNICATIONS

### FCC Queries Wireless Industry On Disaster Response

The Federal Communications Commission is seeking answers from the wireless industry on how cellphone service providers can better rebound from disasters and get communications up and running more quickly, the agency said Monday. [Read full article »](#)

### Independent ISPs Urge FCC To Revise Subsidy Offerings

Members of the Wireless Internet Service Providers Association held a meeting with legal advisers for the Federal Communications Commission last week, asking them to lower the commission's proposed speed threshold and offer subsidies to rate-of-return carriers in areas where the broadband service is below 10/1 Mbps. [Read full article »](#)

## WHITE COLLAR

### Woman Accused Of Being Russian Agent Set To Change Plea

A D.C. federal judge on Monday granted a joint request from federal prosecutors and a Russian woman accused of infiltrating organizations with political influence inside the U.S. to hold a hearing so she can change her previous "not guilty" plea. [Read full article »](#)

## EXPERT ANALYSIS

### Opinion

#### DOJ Speech May Leave SEP Implementers In Dire Straits

I suspect the true audience for the U.S. Department of Justice's disavowal last week of a 2013 policy statement on standard-essential patents is not the courts but rather the U.S. International Trade Commission, whose discretion to pressure standard implementers to accept onerous licensing terms will be tested in the coming years, says University of Minnesota Law School professor Thomas Cotter. [Read full article »](#)

### Top 10 Whistleblowing And Retaliation Events Of 2018

This year saw significant changes in the landscape of whistleblower and retaliation law, including a game-changing decision from the U.S. Supreme Court and the three largest bounty awards issued in the history of the U.S. Securities and Exchange Commission,

Commission

Federal Trade Commission

Food and Drug Administration

Government Accountability Office

Houlton Band of Maliseet Indians

Internal Revenue Service

International Trade Commission

Joint Committee on Taxation

NAFTA

National Institutes of Health

National Labor Relations Board

Navajo Nation

New York Attorney General's Office

New York State Joint Commission on Public Ethics

Office of the U.S. Trade Representative

Securities and Exchange Commission

Southern Ute Indian Tribe

U.S. Attorney's Office

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Immigration and Customs Enforcement

U.S. Navy

U.S. Patent and Trademark Office

U.S. Supreme Court

Utah Attorney General's Office



say Steven Pearlman and Meika Freeman of Proskauer Rose LLP. [Read full article »](#)

### **Don't Overlook Canada's New Data Breach Notification Rules**

The reach of Canada's Personal Information Protection and Electronic Documents Act — which recently imposed new mandatory breach notification obligations — is far-ranging. U.S. companies that collect Canadian citizens' personal information should take note, say José Vega and Tyler Samsing of Bradley Arant Boult Cummings LLP. [Read full article »](#)

### **How To Help Realize A Tax Equity Market For Carbon Capture**

In February, Congress amended Internal Revenue Code Section 45Q, creating a tax equity market that supports investment in carbon capture and storage projects. Additional guidance, like that proposed by the Carbon Capture Coalition, is needed in a number of key subject areas to unlock this market, says Hunter Johnston of Steptoe & Johnson LLP. [Read full article »](#)

### **2018 In Review: Significant White Collar Developments At DOJ**

As the year comes to a close, attorneys at King & Spalding LLP look back at a few of the most notable developments at the U.S. Department of Justice, including corporate monitor guidance, a False Claims Act policy shift, foreign exchange prosecutions, cryptocurrency fraud and international cooperation developments. [Read full article »](#)

### **Proposed FDA Drug Software Rules Strict On Pharma Cos.**

If implemented, the U.S. Food and Drug Administration's proposed framework for regulating prescription drug-use-related software would likely mean that pharmaceutical companies will need to exert more control over certain software applications and be more involved in software update processes, say attorneys at Ropes & Gray LLP. [Read full article »](#)

## **LEGAL INDUSTRY**

### **Susman Godfrey Shatters Cravath Associate Bonus Standard**

Three more law firms — Susman Godfrey LLP, Wigdor LLP and Selendy & Gay PLLC — are planning to exceed the market standard for associate bonuses previously set by trendsetter Cravath Swaine & Moore LLP, with Susman Godfrey saying that the lowest rung on its scale will pay \$10,000 more than the top bonuses given to Cravath associates. [Read full article »](#)

### **John Gibbons, Former 3rd Circ. Chief Judge, Dies At 94**

John J. Gibbons, a Gibbons PC name partner and former Third Circuit chief judge known as a champion of civil liberties, staunch constitutionalist and fierce critic of the death penalty, died Sunday at the age of 94, the law firm said. [Read full article »](#)

### **Jay-Z Claims Movement In Arbitrator Diversity Request**

Music mogul Jay-Z told a New York state court that the American Arbitration Association has agreed to work with him to ensure more African-American arbitrators would be available in the pool of potential people to hear his intellectual property dispute with Iconix Brand Group Inc. [Read full article »](#)

### **Sonos Snags GC From Tribune A Week After Nexstar Deal**

Smart speaker maker Sonos Inc. named Tribune Media Co.'s executive vice president and general counsel as its new chief legal officer on Monday, a week after Nexstar announced a \$6.4 billion deal to acquire the media company. [Read full article »](#)

## **Interview**

### **15 Minutes With Gap's Global General Counsel**

Gap Inc. Global General Counsel Julie Gruber sees value in both formal and casual mentorship programs. Here, she describes how the company has made strides on diversity and inclusion and why being fast and flexible are crucial in the changing retail environment. [Read full article »](#)

## **JOBS**

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## LAW FIRMS

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Baker McKenzie  
Ballard Spahr  
Blank Rome  
Bradley Arant  
Briggs and Morgan  
Buchanan Ingersoll  
Cohen Milstein  
Cravath Swaine  
Dentons  
Drummond Woodsum  
Earthjustice  
Foley Hoag  
Fox Horan  
Gibbons PC  
Herbert Smith Freehills  
Hueston Hennigan  
Jones Day  
Kanji & Katzen  
Kelly Remmel  
King & Spalding  
Littler Mendelson  
Lowenstein Sandler  
Mayer Brown  
McCarter & English  
McDermott Will  
McGlinchey Stafford  
Pierce Bainbridge  
Quinn Emanuel  
Schiff Hardin  
Selendy & Gay  
Steptoe & Johnson LLP  
Susman Godfrey  
Waide & Associates  
Wigdor LLP  
WilmerHale  
Winston & Strawn

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Apple Inc.  
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Amazon.com Inc.  
American Civil Liberties Union  
Center for Constitutional Rights  
Chevron Corp.  
Facebook  
Google Inc.  
New York University  
Twitter Inc.  
Alibaba Group Holdings Ltd.  
American Arbitration Association  
American Federation of Labor and Congress of Industrial Organizations  
Association for Accessible Medicines  
Black Hills Corporation  
Cable News Network Inc.  
Computer & Communications Industry Association  
Democratic National Committee  
Digital Realty Trust Inc.  
ESPN Inc.  
EisnerAmper LLP  
Entergy Corp.  
Equifax Inc.  
Exxon Mobil Corp.  
Faculty Athletics Representatives Association  
Fiat Chrysler Automobiles NV  
Food Network  
Ford Motor Co.  
General Motors  
HSBC Holdings PLC  
Hong Kong Exchanges and Clearing  
Iconix Brand Group, Inc.  
Intel Corp.  
International Business Machines Corp.  
KPMG International  
LinkedIn Corp.  
Merck & Co Inc.  
Microsoft Corporation  
National Center for Lesbian Rights  
National Rifle Association of America  
Natural Resources Defense Council  
New Jersey State Bar Association  
Orion Energy Systems, Inc  
PAREXEL International Corporation  
Planned Parenthood Federation  
Power Solutions International Inc.  
Public Service Enterprise Group Inc.  
QUALCOMM Inc.  
ROC Nation LLC  
Shanghai Stock Exchange Ltd.  
Shenzhen Stock Exchange  
Sierra Club  
Snap Inc.  
Sonos Inc.

Southern Poverty Law Center  
Sprint Nextel Corporation  
State Bar of Texas  
T-Mobile USA Inc.  
The American Law Institute  
The Bank of Nova Scotia  
The Gap Inc.  
The Wireless Internet Service Providers Association  
Tribune Media Co.  
U.S. Chamber of Commerce  
United Auto Workers  
Verizon Communications Inc.  
Warner Media LLC  
eBay Inc.

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U.S. Department of Justice  
U.S. Supreme Court  
Federal Communications Commission  
Internal Revenue Service  
U.S. Department of Homeland Security  
U.S. Department of the Treasury  
European Commission  
European Union  
Food and Drug Administration  
Government Accountability Office  
NAFTA  
National Labor Relations Board  
Securities and Exchange Commission  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
Antitrust Modernization Commission  
Commodity Futures Trading Commission  
Confederated Tribes of the Colville Reservation  
Congressional Budget Office  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Houlton Band of Maliseet Indians  
International Trade Commission  
Joint Committee on Taxation  
National Institutes of Health  
Navajo Nation  
New York Attorney General's Office  
New York State Joint Commission on Public Ethics  
Office of the U.S. Trade Representative  
Southern Ute Indian Tribe  
U.S. Attorney's Office  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
U.S. Department of the Interior

U.S. House of Representatives  
U.S. Navy  
U.S. Patent and Trademark Office  
Utah Attorney General's Office

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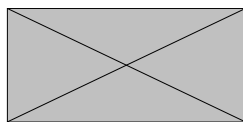
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 7/5/2016 8:51:20 AM  
**Subject:** [Marketing Mail] Busy June Shows Dodd-Frank's Benefits And Costs



**PUBLIC POLICY**

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**Tuesday, July 5, 2016**

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## **TOP NEWS**

### **DOJ Snubs ASCAP, BMI On Partial Music Rights Licensing**

The U.S. Department of Justice has decided that the antitrust consent decrees governing ASCAP and BMI currently require the music rights giants to license full works instead of partial interests in compositions, and the agency wants to hold the organizations to that rule, ASCAP said Thursday.

### **Judge Blocks Miss. Law Protecting Gay Marriage Objectors**

A Mississippi federal judge on Thursday preliminarily blocked a state law providing protection to those who say their religious beliefs are violated by same-sex marriage, declaring that the law violates the Fourteenth Amendment's equal protection clause by protecting some religious beliefs to the detriment of others.

### **Fox News Debate Rules In Line With Election Law, FEC Says**

The Federal Election Commission in a split vote found that Fox News Network LLC did not violate federal campaign laws when it loosened the qualification criteria in the days leading up to a Republican debate, according to commission files publicly released on Thursday.

### **Minn. Pays \$1M For Rogue DMV Worker's Data Snooping**

Minnesota state officials will pay \$1 million to end a proposed federal class action claiming a former employee of Mille Lacs County's family services department illegally accessed 269 individuals' driver's license information for her own personal use, a Friday filing said.

### **Chicago Bumps Minimum Wage To \$10.50 Per Hour**

Chicago has announced that 270,000 workers received a pay boost on Friday when the city's minimum wage increased to \$10.50 an hour, marking the second step in a campaign to raise the municipality's lowest wages to \$13 an hour by 2019.

## **ANALYSIS**

### **Busy June Shows Dodd-Frank's Benefits And Costs**

June's final week gave Dodd-Frank Act supporters a chance to crow as big banks survived the sudden shock of the British vote to leave the European Union and GE Capital exited enhanced supervision, but financial experts worry that the law is causing harm as well.

### **2016's Major Immigration Case Developments: Midyear Report**

From a fight over a work program for foreign students to seismic litigation involving the EB-5 immigrant investor program, 2016 has unleashed an avalanche of important immigration rulings and enforcement actions. Here, Law360 looks at some of the key immigration milestones so far this year.

## **LAW FIRMS**

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Bilzin Sumberg  
Bryan Cave  
Carroll Burdick  
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DLA Piper  
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Debevoise & Plimpton  
Dechert  
Dentons  
Dewey & LeBoeuf  
Dykema Gossett PLLC  
Epstein Becker Green  
Finnegan  
Foley & Lardner  
Fox Rothschild  
Fragomen Del Rey  
Gibson Dunn  
Haynes and Boone  
Herrick Feinstein  
Hertz Schram  
Hogan Lovells  
Iverson Reuvers  
Jenner & Block  
Jones Day  
Kasowitz Benson  
Kaye Scholer  
Kilpatrick Townsend  
Kirkland & Ellis  
Latham & Watkins  
Law Office of Bradley S. Shear  
LLC  
Levenfeld Pearlstein  
Linklaters  
Mayer Brown  
Mintz Levin  
Mishcon de Reya  
Moritt Hock

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### 3 Reasons Brexit Won't Halt EU Market Abuse Rules

While the British vote to exit the European Union continues to sow uncertainty in financial markets and elsewhere, experts say firms can still count on one thing — that the U.K. will hold on to new EU regulations on insider trading and market abuse, set to take effect on Sunday, even if it follows through on opting out of the EU itself.

### Telecommunications Policy Recap For 1st Half Of 2016

The Federal Communications Commission has spent much of this year positioning for final regulatory moves during the Obama administration, but the first six months also saw a major overhaul of the Lifeline low-income phone subsidy program and launch of the incentive auction. Here are the top developments in telecom policy so far this year.

### 5 Public-Private Transportation Projects To Watch

The growing pressure on government to shore up aging highways and modernize mass transit is opening up more opportunities for private industry to step in and help get some of the nation's crucial transportation infrastructure projects financed, built and delivered. Here, Law360 highlights five transportation projects using the public-private partnership model that attorneys are watching closely.

## BANKING & SECURITIES

### IG Says SEC Should Improve Related Case Coordination

The inspector general for the U.S. Securities and Exchange Commission on Thursday issued a call for closer coordination among agency enforcement staff, after a New York federal judge criticized the SEC for bungling overlapping cases and suggested that a "self-examination" would be appropriate.

### EU Financial Advisory Body Rebuts Basel Risk Measures

Global regulators should use the leverage ratio as the primary means of measuring a bank's capital strength, not risk-weighted assets, Europe's top financial regulation research and advisory body said Friday.

### Regulators Tell EU To Catch Up With US On Swaps Rules

The European Union's top three financial regulators have urged the European Commission to catch up with the U.S. and Japan by implementing swaps rules that have been delayed, expressing "strong concerns" the holdup in Europe was causing global uncertainty.

### China Links Enviro Compliance With Ability To Issue Stock

China's securities watchdog used its bite Friday to force companies to comply with environmental regulations, saying firms with violations wouldn't be allowed to issue stock.

### New UK Bank, Trader Standards Tackle Conflicts, Price-Fixing

A U.K. financial advisory panel has warned London's banks and traders about conflicts of interest and price-fixing in new draft standards for issued on Thursday, a year after the body was created to tackle a series of high-profile white collar scandals.

## ENERGY & ENVIRONMENTAL

### GOP Sens. Float Plan To Share Offshore Oil Money With States

Senate Republicans have introduced a proposal to give an expanded selection of coastal states more than a one-third share in federal offshore oil revenue in opposition to President Barack Obama's proposal to eliminate revenue sharing altogether.

### Ex-Flint Officials Say They're Immune From Contamination Suit

Morrison & Foerster  
Native American Rights Fund  
Norton Rose Fulbright  
Nossaman LLP  
Ogletree Deakins  
Patterson & Sheridan  
Paul Hastings  
Pillsbury Winthrop  
Ratwik Roszak  
Seyfarth Shaw  
Shearman & Sterling  
Sidley Austin  
Simpson Thacher  
Skadden  
Squire Patton Boggs  
Sutherland Asbill  
Taylor Wessing  
Thomas Law Group  
Troutman Sanders  
Tucker Ellis  
WilmerHale

## COMPANIES

AT&T Inc.  
All Aboard Florida - Operations LLC  
Alstom SA  
Altman Weil Inc.  
American Civil Liberties Union  
American Society Of Composers Authors & Publishers  
BTI Consulting Group Inc.  
Bank of America Corporation  
Berkeley Research Group  
Biglari Holdings Inc.  
Bristol-Myers Squibb Company  
Broadcast Music Inc.  
Charter Communications Inc.  
Citigroup Inc.  
Cornerstone Research Inc.  
Deutsche Bank AG  
Facebook  
Fiat Chrysler Automobiles NV  
Friedman LLP  
General Electric Capital Corp.  
General Electric Company  
Google Inc.  
Guttmacher Institute  
Intervention Energy Holdings LLC  
JPMorgan Chase & Co.  
Jeppesen Sanderson Inc.  
Lex Mundi Ltd



Two former emergency managers for the city of Flint told a Michigan federal judge that they're immune from a proposed class action seeking to peg more than a dozen city and state officials with liability for injuries to children from the city's lead contamination crisis.

**Lawmakers Urge EPA To Bolster Lead And Copper Water Rule**

A bipartisan group of lawmakers called on the U.S. Environmental Protection Agency Thursday to strengthen a water rule designed to protect the public from lead and copper contamination

**Bay Area Greenhouse Gas Plan Upheld By Appeals Court**

A California appeals court on Thursday ruled that Bay Area regulators did not have to consider statewide car and truck emissions reduction goals in crafting their own program to reduce greenhouse gases, finding that doing so would have been inconsistent with state law.

**HEALTH & LIFE SCIENCES**

**Fla. Judge Blocks Implementation Of Restrictive Abortion Law**

A Florida federal judge barred a new Florida law restricting abortion and defunding Planned Parenthood just before it was set to go into effect Friday, ruling that Planned Parenthood is likely to succeed in its challenge to the statute.

**La. Clinics File Suit Challenging 7 New Abortion Laws**

Two Louisiana abortion clinics and three physicians on Friday sued Louisiana over its seven laws enacted in 2016 restricting access to abortion, arguing they constitute an undue burden on women trying to access abortions.

**Dopamine Agonist Drugs Need Compulsion Warning: Group**

A Washington, D.C.-based consumer advocacy group has sent a petition to the U.S. Food and Drug Administration saying that dopamine agonist drugs should have a black-box warning about side effects that can cause compulsive behavior, such as extreme desires for sex, eating, shopping and gambling.

**INSURANCE**

**W. Va. Not Harmed By ACA Tweaks, DC Circ. Rules**

The D.C. Circuit on Friday smacked down West Virginia's challenge to the Obama administration's temporary non-enforcement of Affordable Care Act insurance standards, concluding that the state hasn't suffered a legal injury.

**EMPLOYMENT**

**German Financial Regulator Opens Whistleblower Office**

Germany's Federal Financial Supervisory Authority, or BaFin, on Friday said that it has created a centralized office for whistleblowers to report regulatory violations, calling the protection of those who report corporate wrongdoing a top priority.

**WHITE COLLAR**

**Convicted Ex-Pa. Justice's Sister Loses Federal Appeal**

The sister of disgraced ex-Pennsylvania Supreme Court justice Joan Orie Melvin saw a federal judge on Thursday deny a petition seeking an appeal of her conviction on charges over the use of state employees to conduct campaign-related activity.

**GOVERNMENT CONTRACTS**

Lippman Jungers LLC  
MSCI, Inc.  
Manpower Inc.  
MasterCard Incorporated  
McGraw Hill Financial Inc.  
MetLife Inc.  
Morgan Stanley  
National Association of Broadcasters  
National Cable & Telecommunications Association  
Natural Resources Defense Council  
Orange County Transportation Authority  
Pacific Legal Foundation  
Planned Parenthood Federation  
PricewaterhouseCoopers  
Smithfield Foods Inc.  
SunEdison LLC  
Time Warner Inc.  
Toys "R" Us Inc.  
Twitter Inc.  
UBS AG  
Weatherford International Ltd.  
Zeughauser Group LLC

**GOVERNMENT AGENCIES**

Agricultural Marketing Service  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Land Management  
California Department of Transportation  
California Environmental Protection Agency  
Denver International Airport  
European Commission  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Election Commission  
Federal Reserve System  
Federal Trade Commission  
Financial Stability Oversight Council  
Florida Department of Transportation  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service



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## GAO Says DOD Needs Better Data To Reduce HQ Costs

The Government Accountability Office criticized the U.S. Department of Defense Thursday for pursuing efforts to save costs by eliminating overlapping and duplicative headquarters functions without adequate data to actually identify those functions that fit under the headquarters umbrella.

## INTERNATIONAL TRADE

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### US, Other Partners Implement \$1.3T Tech Trade Accord

The U.S., European Union and other nations on Friday officially implemented the first round of tariff cuts under a sweeping World Trade Organization agreement that will eventually eliminate duties on more than \$1.3 trillion worth of information technology items.

### GOP Sens. Unveil Bill To Pursue Stand-Alone UK Trade Deal

Calls for the U.S. to pursue a bilateral free trade agreement with the United Kingdom once its exodus from the European Union is complete grew louder on Thursday as a pair of Republican senators introduced legislation directing the White House to maintain a robust trade policy toward Great Britain.

### Saudi Arabia Walks Back 4-Year Ban On US Beef

U.S. beef producers will once again be able to ship to Saudi Arabia after the Middle Eastern nation lifted a moratorium put in place in response to an occurrence of mad cow disease four years ago, Obama administration officials announced Friday.

## TAX

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### Former DC Official, Mayoral Aide Faces Tax Evasion Charge

Federal officials launched a felony tax evasion case against a former Washington, D.C., administration official on Thursday in federal court, alleging that he underreported his 2009 income by more than \$200,000.

## BANKRUPTCY

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### Puerto Rico Defaults On \$1B Debt After Obama OKs PROMESA

Puerto Rico on Friday said it would default on about \$1 billion of debt payments due that day, after President Barack Obama one day earlier signed legislation forming a new oversight authority to manage the territory's debt.

## NATIVE AMERICAN

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### Alaska Loses DC Circ. Bid To Block Native Trust Land Actions

A split D.C. Circuit on Friday rejected Alaska's bid to block the U.S. Department of the Interior from taking land into trust to safeguard it for Native tribes, saying the department's revision of its regulations to allow such trust actions rendered the case moot.

## TELECOMMUNICATIONS

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### 12 States Challenge FCC's Lifeline Change At DC Circ.

A dozen states urged the D.C. Circuit on Thursday to nix a move by the Federal Communications Commission to create a federal process to designate telecom companies as eligible to provide Lifeline broadband services, saying it preempts

International Monetary Fund  
Legal Services Corp.  
Los Angeles World Airports  
Metropolitan Transportation Commission  
National Highway Traffic Safety Administration  
National Park Service  
Port of Miami  
Securities and Exchange Commission  
Small Business Administration  
Transportation Security Administration  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court  
Virginia Department of Transportation  
World Health Organization

authority given by Congress to the states alone.

### **NY AG Endorses FCC's Broadband Provider Privacy Plan**

The New York Attorney General's office on Thursday backed the Federal Communications Commission's plan to set privacy rules for broadband service providers, saying that they are gateways to the internet that consumers can't avoid.

### **Time Warner Says Scrap Set-Top Box Plan, Go With Apps**

Time Warner Inc. has told the Federal Communications Commission that the conglomerate still has concerns about the agency's plan to unlock set-top boxes, but that an industry-backed apps-based approach is a promising alternative if it ensures competition and consumer choice.

### **Broadcasters Slam FCC Plan To Keep Ownership Rules**

The Federal Communications Commission's proposal to keep intact media ownership rules ignores the realities of a market that has shifted dramatically, the National Association of Broadcasters told the FCC, saying that the agency has failed to show evidence for holding onto the rules, according to a filing on Thursday.

## **INTERNATIONAL ARBITRATION**

### **Singapore Proposes Legalizing Third-Party Dispute Funding**

Citing a need to stay competitive with international legal hubs like London, Paris and Geneva, Singapore on Thursday proposed abolishing its longstanding ban on third-party funding for lawsuits and arbitration proceedings.

### **UK Law Firm Prepares Legal Challenge To Brexit Process**

A U.K. law firm has begun legal action to make sure Britain does not start the procedure for withdrawal from the EU without a vote in Parliament, marking the first significant challenge to the referendum vote.

## **EXPERT ANALYSIS**

### **On Abortion High Court Defers To Evidence, Not Legislatures**

While marking an important victory for abortion rights, the U.S. Supreme Court's fact-intensive analysis in *Whole Woman's Health v. Hellerstedt* means that the scope of the Roe right may still be open to attack, say Jessica Martinez and Jeremy Ershow at Jenner & Block LLP.

### **In Congress: Gun Control, Zika, FAA**

After a brief reprieve from partisan battles over the Independence Day recess, the House and Senate return to Capitol Hill to face the same unresolved issues they grappled with in June. One "must pass" order of business during the next two weeks is an extension of current Federal Aviation Administration authorization, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP.

### **LA Paid Sick Leave Law: Another Bitter Pill To Swallow**

Los Angeles' newly enacted sick leave ordinance essentially doubles the minimum amount of paid sick leave employers must provide to their employees. Given the complicated nature of the city ordinance's overlap with California state law, compliance challenges facing employers are significant, says Laura Worsinger at Dykema Gossett PLLC.

### **FTC's New Maximum Civil Penalty And What It Means**

For anyone who views Federal Trade Commission civil penalties as a cost of doing business, the cost just went up dramatically. The impact of this change will be most acute in enforcement against Hart-Scott-Rodino Act violations and other continuing violations, says James Fishkin of Dechert LLP.

## **BLM Fracking Decision Is Narrow, But With A Vast Impact**

Assuming the Wyoming federal court's decision in *Wyoming v. Department of Interior* is upheld on appeal, it is arguably a narrower holding than many have suggested. It rests on the fact that Congress spoke with unusual clarity and specificity in the Energy Policy Act of 2005, when it substantially curtailed federal authority to regulate hydraulic fracturing, say attorneys at Pillsbury Winthrop Shaw Pittman LLP.

## **LEGAL INDUSTRY**

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### **4 Bad Habits Firm Leaders Need To Break Now**

The key to being a good law firm leader is simple, experts say: Treat your attorneys how you would like to be treated. It's a straightforward concept, but one too often lost in the high-pressure legal world. Here are a few bad habits leaders can pick up when they lose sight of the golden rule, and some tips on how to fix them.

### **How To Train The Next Generation Of Litigators**

BigLaw firms are rethinking how they train young litigators as run-of-the-mill trial work is phased out and high-stakes, high-rate work — largely performed by experienced veterans — is phased in. Here, attorneys share two key approaches their firms use to turn young lawyers into trial all-stars.

### **Norton Rose, Kilpatrick, 3 Other Firms Raise Associate Pay**

Norton Rose Fulbright and three other firms said Friday they will match the new salary benchmark set by Cravath Swaine & Moore LLP for first-year associates in certain U.S. markets, a day after Kilpatrick Townsend & Stockton LLP said it would adopt the new \$180,000 standard.

### **Dewey Ex-Chair Ordered To Pay Back \$400K Loan**

A New York state judge on Friday ordered former Dewey & LeBoeuf LLP chairman Steven H. Davis to pay Citibank nearly \$400,000 for a capital contribution loan he took out to help fund the now-shuttered firm before financial fraud charges were lobbed against him and other executives.

### **Legal Giants Hungry For Overseas Boutiques**

Three major international law firms announced Thursday that they plan to break into new markets by gobbling up smaller firms in London, Sweden and Vietnam, a trend experts say indicates a growing hunger in the legal industry for pint-sized cross-border mergers.

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

BigLaw rates come under fire, the U.S. Securities and Exchange Commission wants more details about board member diversity, and a number of legal violations are about to get a lot costlier. Those stories top this past week's news you may have missed.

### **Global 20: Squire Patton Boggs**

Squire Patton Boggs has continued to expand its global presence, securing one of the largest firm mergers during the first half of 2016, representing a Chinese creditor as it steered U.S. bankruptcy proceedings for a \$3.5 billion project to the Bahamas, and again earning a spot on Law360's Global 20 list.

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

## **JOBS**

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Dechert  
Dentons  
Finnegan  
Hogan Lovells  
Troutman Sanders  
Andrews Kurth  
BakerHostetler  
Bilzin Sumberg  
Bryan Cave  
Carroll Burdick  
Covington & Burling  
Cravath Swaine  
Davis Wright Tremaine  
Debevoise & Plimpton  
Dewey & LeBoeuf  
Dykema Gossett PLLC  
Epstein Becker Green  
Foley & Lardner  
Fox Rothschild  
Fragomen Del Rey  
Gibson Dunn  
Haynes and Boone  
Herrick Feinstein  
Hertz Schram  
Iverson Reuvers  
Jenner & Block  
Jones Day  
Kasowitz Benson  
Kaye Scholer  
Kilpatrick Townsend  
Kirkland & Ellis  
Latham & Watkins  
Law Office of Bradley S. Shear LLC  
Levenfeld Pearlstein  
Linklaters  
Mayer Brown  
Mintz Levin  
Mishcon de Reya  
Moritt Hock  
Native American Rights Fund  
Norton Rose Fulbright  
Nossaman LLP  
Ogletree Deakins  
Patterson & Sheridan  
Paul Hastings  
Pillsbury Winthrop  
Ratwik Roszak  
Seyfarth Shaw  
Shearman & Sterling  
Sidley Austin

Simpson Thacher  
Skadden  
Squire Patton Boggs  
Sutherland Asbill  
Taylor Wessing  
Thomas Law Group  
Tucker Ellis  
WilmerHale

#### COMPANIES

Planned Parenthood Federation  
AT&T Inc.  
Altman Weil Inc.  
Google Inc.  
Morgan Stanley  
All Aboard Florida - Operations LLC  
Alstom SA  
American Civil Liberties Union  
American Society Of Composers Authors & Publishers  
BTI Consulting Group Inc.  
Bank of America Corporation  
Berkeley Research Group  
Biglari Holdings Inc.  
Bristol-Myers Squibb Company  
Broadcast Music Inc.  
Charter Communications Inc.  
Citigroup Inc.  
Cornerstone Research Inc.  
Deutsche Bank AG  
Facebook  
Fiat Chrysler Automobiles NV  
Friedman LLP  
General Electric Capital Corp.  
General Electric Company  
Guttmacher Institute  
Intervention Energy Holdings LLC  
JPMorgan Chase & Co.  
Jeppesen Sanderson Inc.  
Lex Mundi Ltd  
Lippman Jungers LLC  
MSCI, Inc.  
Manpower Inc.  
MasterCard Incorporated  
McGraw Hill Financial Inc.  
MetLife Inc.  
National Association of Broadcasters  
National Cable & Telecommunications Association  
Natural Resources Defense Council  
Orange County Transportation Authority  
Pacific Legal Foundation  
PricewaterhouseCoopers

Smithfield Foods Inc.  
SunEdison LLC  
Time Warner Inc.  
Toys "R" Us Inc.  
Twitter Inc.  
UBS AG  
Weatherford International Ltd.  
Zeughauser Group LLC

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
Securities and Exchange Commission  
U.S. Supreme Court  
Federal Communications Commission  
Federal Trade Commission  
U.S. Environmental Protection Agency  
European Commission  
Internal Revenue Service  
U.S. Department of Transportation  
U.S. Department of the Interior  
Agricultural Marketing Service  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Land Management  
California Department of Transportation  
California Environmental Protection Agency  
Denver International Airport  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Election Commission  
Federal Reserve System  
Financial Stability Oversight Council  
Florida Department of Transportation  
Food and Drug Administration  
Government Accountability Office  
International Monetary Fund  
Legal Services Corp.  
Los Angeles World Airports  
Metropolitan Transportation Commission  
National Highway Traffic Safety Administration  
National Park Service  
Port of Miami  
Small Business Administration  
Transportation Security Administration  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Patent and Trademark Office

U.S. Senate  
Virginia Department of Transportation  
World Health Organization

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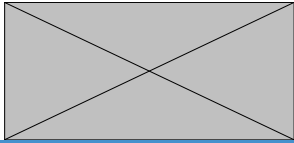
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 7/7/2017 8:30:27 AM  
**Subject:** [Marketing Mail] GC Pick Shows Fed's Limited Desire For Dodd-Frank Changes



**PUBLIC POLICY.**

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**Friday, July 7, 2017**

## TOP NEWS

### Analysis

#### **GC Pick Shows Fed's Limited Desire For Dodd-Frank Changes**

The Federal Reserve's Thursday choice of the top lawyer from its bank regulation team to be its new general counsel indicates the central bank intends to maintain the broad architecture of its post-financial crisis rules at least until President Donald Trump puts his own team in place, experts say. [Read more »](#)

#### **Generics Lobby Sues To Block Md. Drug Pricing Law**

A new Maryland law authorizing fines against drugmakers that engage in "price gouging" is unconstitutionally vague and far-reaching, according to a complaint filed Thursday by the generic-drug industry's top trade group. [Read more »](#)

#### **Gov't Ethics Director Resigns, Calls For Stronger Framework**

The director of a government ethics office, who repeatedly called on President Donald Trump to divest from his business interests, announced his resignation on Thursday, saying in a statement that the administration has exposed weaknesses in federal ethics guidelines. [Read more »](#)

#### **Calif. Gov. Announces 2018 Climate Summit In San Francisco**

California Gov. Jerry Brown on Thursday announced that a global climate action conference will be held in San Francisco in 2018, continuing his push to position the Golden State as a leader in sustainable practices in the wake of President Donald Trump's withdrawal of the U.S. from the Paris climate agreement. [Read more »](#)

#### **Gay Rights Group Will Take Title VII Bias Debate To High Court**

Gay rights group Lambda Legal said it will ask the U.S. Supreme Court to find that federal law bars employers from discriminating against workers because of their sexuality after the Eleventh Circuit declined Thursday to review precedent putting sexual orientation bias out of Title VII's reach. [Read more »](#)

#### **Trump Admin, Voters Spar In Briefs Over Texas Voter ID Law**

The U.S. Department of Justice told a federal judge Wednesday there's no need to take further action regarding Texas' controversial voter ID law, as an amended measure that will go into effect in January solves discriminatory issues the court cited in blocking the original law, while opponents argue the new law is just as bad. [Read more »](#)

## BANKING & SECURITIES

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### LAW FIRMS

Alston & Bird  
Arnold & Porter Kaye Scholer  
Bird & Bird  
Boies Schiller  
Bryan Cave  
Chamberlain Hrdlicka  
Clifford Chance  
Clyde & Co  
Consovoy McCarthy  
Cooley  
Dechert  
Dentons  
Earthjustice  
Elliott Greenleaf  
Greenberg Traurig  
Greene Espel  
Gunster  
Hogan Lovells  
Jenner & Block  
Jones Day  
Kirkland & Ellis  
Lane Powell  
Miller & Chevalier  
Morgan & Morgan  
Nabors Giblin  
Nix Patterson  
Ogletree Deakins  
Potter DeAgostino  
Richards Rodriguez

CLV000703



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## Fed Rules Chief Says Now Is Housing Finance Reform Time

The Federal Reserve's top regulatory official on Thursday called for swift action to reform housing finance, particularly by putting more private investor dollars in between taxpayers and credit risks while the economy is strong and before memories of the financial crisis fade. [Read more »](#)

## Feds Release Overviews Of Big Banks' 'Living Wills'

Federal regulators on Wednesday released the public portions of road maps for taking apart the eight largest U.S. banks should they fail, and gave two firms designated as systemically important an additional year to file their "living wills." [Read more »](#)

## Ireland Gov't Raises \$3.9B From Allied Irish Banks IPO

The Irish government on Thursday said it has raised €3.4 billion (\$3.9 billion) total from its initial public offering of Allied Irish Banks PLC after it exercised an over-allotment option, increasing what is already this year's largest European IPO. [Read more »](#)

## ENERGY & ENVIRONMENTAL

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## 15 AGs Urge Court To Uphold Congressional Review Act

The Republican attorneys general of 15 states piled onto a suit that challenges the constitutionality of a regulation rollback law, the Congressional Review Act, on Wednesday, telling an Alaskan federal court the law is perfectly constitutional and urging it to toss the suit and "preserve this important procedural tool." [Read more »](#)

## DOI Looks To Speed Up Oil And Gas Permitting On Fed. Lands

U.S. Secretary of the Interior Ryan Zinke on Thursday signed a secretarial order aimed at speeding up the process for oil and gas permitting on federal lands, saying it was important for the country's energy strategy to reduce the application backlog and to streamline the mineral development process. [Read more »](#)

## Nonprofit Hits Ocean Agency With Suit Over Google Chats

A nonprofit watchdog that advocates limited government filed suit in D.C. federal court Thursday seeking information about how the National Oceanic and Atmospheric Administration logs its Google Chat conversations, saying the agency's delay in processing the group's prior requests for the data shirks the Freedom of Information Act. [Read more »](#)

## EPA Keeps Biofuel Requirements Steady For 2018

The U.S. Environmental Protection Agency on Wednesday maintained the amount of renewable fuels that must be blended into the U.S. transportation fuel supply in 2018, but also hinted at major future changes to the agency's renewable fuels program by saying it would explore a "reset" of required biofuel levels. [Read more »](#)

## Pa. Drilling Fund Use Unconstitutional, Enviro Group Says

Following a landmark ruling last month bolstering constitutionally enshrined environmental protections, a Pennsylvania court was urged on Thursday to nix portions of the just-passed state budget using money from the leasing of public land for drilling to fund operating costs of the Department of Conservation and Natural Resources. [Read more »](#)

## Fishermen Ask High Court To Uphold 9th Circ. Fishery Ruling

Two commercial fishing groups that forced the federal government to oversee a salmon fishery in Alaska after an appeals court win last year have come out strongly against the state's recent bid to take the suit to the Supreme Court. [Read more »](#)

## EMPLOYMENT

Rutledge Ecenia  
Shaw Bransford  
Shook Hardy  
Steptoe & Johnson LLP  
Stoel Rives  
Tucker Arensberg  
Vinson & Elkins  
White & Case  
White and Williams  
Williams Parker  
WilmerHale  
Wilson Robertson

## COMPANIES

AARP Inc.  
Allied Irish Banks PLC  
American Civil Liberties Union  
American Enterprise Institute  
American International Group Inc.  
American Petroleum Institute Inc.  
Associated Press  
Bank of America Corporation  
BlackRobe Capital Partners LLC  
CITGO Petroleum Corp.  
Center for Biological Diversity Inc.  
China Integrated Energy Inc.  
Citigroup Inc.  
Cloud Security Alliance  
Deloitte Touche  
Deutsche Bank AG  
Environmental Defense Fund Inc.  
Facebook  
Fannie Mae  
Federation for American Immigration Reform  
Freddie Mac  
Goldman Sachs Group Inc.  
Google Inc.  
Gulf Oil Limited Partnership  
JPMorgan Chase & Co.  
Kelly Services, Inc.  
Lambda Legal Defense & Educational Fund  
LexisNexis Group  
London Stock Exchange Group PLC  
Morgan Stanley  
Murphy USA Inc.  
NBCUniversal Inc.  
National Conference of State Legislatures  
National Public Radio Inc.  
Natural Resources Defense

CLV000704

## Washington Gov. Signs Paid Family Leave Plan Into Law

Washington state Democratic Gov. Jay Inslee on Wednesday announced that he signed a piece of legislation that will make the state one of a small group that offers a paid family leave program, after the plan was passed through the state Legislature last week. [Read more »](#)

## AARP Says EEOC Never Explained Wellness Rule Penalties

The U.S. Equal Employment Opportunity Commission cannot simply pluck numbers from the air when allowing for higher premiums for workers who don't participate in wellness programs, AARP Inc. told a D.C. federal judge in oral arguments Thursday. [Read more »](#)

## Thrivent Seeks Win After DOL Abandons Class Action Rule

A financial services group that has sued to block part of the U.S. Department of Labor's fiduciary rule asked a Minnesota federal judge on Wednesday to give it a quick win after the regulator said in a related case that it would no longer defend the rule's ban on class action waivers. [Read more »](#)

## GSA Settles Tech Program Whistleblower's Retaliation Claim

The Office of the Special Council said Thursday it has reached a settlement with the General Services Administration on behalf of a whistleblower who was subjected to retribution from the former head of the agency for shedding light on mismanagement of a GSA-run technology program. [Read more »](#)

## 10th Circ. Backs Quick Win To Kelly Services In ADA Suit

A Tenth Circuit panel on Thursday backed a quick win given to staffing agency Kelly Services and GE Controls Solutions in a suit from a temporary employee who was terminated after missing a significant amount of work while being tested for breast cancer. [Read more »](#)

## COMPETITION

## FTC Warns NC Appraisal Fee Bill Could Break Antitrust Law

Legislation under consideration by North Carolina state lawmakers could breach federal antitrust law by stifling competition for the setting of real estate appraisal fees, which could result in higher prices for consumers, the Federal Trade Commission said Thursday. [Read more »](#)

## PRIVACY & CONSUMER PROTECTION

## FTC To Shield Its Workers From Damages In Personal Suits

The Federal Trade Commission on Wednesday took a step to protect its employees from individual lawsuits, adopting a policy to indemnify them against damages for work they do — even as several of the agency's employees face suit tied to a data security investigation of a medical testing firm. [Read more »](#)

## TAX

### Analysis

## 4 Top Tax Policy Developments In 2017: Midyear Report

In the year so far, 76 countries agreed to adopt a landmark multilateral treaty to deter tax avoidance by multinational corporations, and the IRS made headway toward changing its audit system for partnerships and large businesses. Here's a look back at major tax policy developments in the first half of 2017. [Read more »](#)

## Big 4 Accounting Firms Need EU Oversight, Study Says

A new report co-authored by an influential tax-compliance expert reproves the world's four largest accounting firms as having opaque structures meant to protect

Council  
Netflix Inc.  
Odebrecht SA  
Philip Morris USA Inc.  
Platinum Partners LP  
PricewaterhouseCoopers  
Prudential Financial Inc.  
Reed Elsevier  
Reynolds American Inc.  
Rothschild & Co. SCA  
SIFMA  
Sierra Club  
Skype Technologies SA  
State Bar of Texas  
State Street Corp.  
Temple-Inland Inc.  
The Bank of New York Mellon Corporation  
Thrivent Financial  
Turing Pharmaceuticals AG  
Twitter Inc.  
Tyler Technologies, Inc.  
U.S. Chamber of Commerce  
Vereit Inc.  
Wells Fargo & Co.

**GOVERNMENT AGENCIES**

Alaska Department of Law  
Bureau of Citizenship and Immigration Services  
Bureau of Land Management  
Equal Employment Opportunity Commission  
European Commission  
European Union  
Executive Office of the President  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Reserve System  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Financial Stability Oversight Council  
Food and Drug Administration  
Internal Revenue Service  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
National Labor Relations Board  
National Marine Fisheries Service

clients from regulatory inquiries and recommends that the European Union impose stronger licensing conditions on them. [Read more »](#)

### **Veto Override Gives Illinois 1st State Budget In 2 Years**

After a record-breaking 736-day budget impasse, Illinois has a spending plan once more after a razor-thin vote in the state House on Thursday to override Republican Gov. Bruce Rauner's veto of a budget package and tax hike. [Read more »](#)

## **IMMIGRATION**

### **District Court Won't Clarify Scope Of Trump Travel Ban**

A Hawaii federal court Thursday said it won't weigh in on what counts as "close family" exempted under the portion of President Donald Trump's travel ban that the U.S. Supreme Court allowed to take effect. [Read more »](#)

### **Fresh H-2B Rule Sent To OMB For Review**

The U.S. Department of Homeland Security has sent a rule to the Office of Management and Budget regarding the H-2B temporary worker program, not long after it was confirmed that the DHS will issue a limited number of additional visas for temporary workers to aid seasonal businesses. [Read more »](#)

### **DOJ To Review Compliance Claims Of Sanctuary Cities, States**

The U.S. Department of Justice announced Thursday that it is reviewing letters from 10 so-called sanctuary jurisdictions, which it previously selected for enforcement scrutiny, that say they are complying with laws governing immigration information shared with federal officials. [Read more »](#)

### **Kobach Loses Bid To Shed Sanctions In Voter Records Suit**

A magistrate judge on Wednesday denied a request from Kansas Secretary of State Kris Kobach to reconsider a sanctions order for "deceptive conduct" in a discovery dispute over documents related to immigration and voter reform, with Kobach objecting to the ruling the same day. [Read more »](#)

### **Sen. Urges Mattis To Honor Citizenship For Service Contracts**

Sen. Mark Warner, D-Va., on Thursday urged Defense Secretary Jim Mattis to reject proposed changes to a military recruitment program that could result in the deportation of some 1,000 foreign-born recruits. [Read more »](#)

## **HEALTH**

### **Fla. High Court Upholds County Hospital Reimbursement Law**

The Florida Supreme Court on Thursday upheld a special act requiring Sarasota County to reimburse both private and public medical centers for care given to impoverished patients, ruling that it does not grant a privilege to private institutions because it applies equally to all hospitals in the county. [Read more »](#)

### **Lawsuit Challenges Fla. Medical Marijuana Smoking Ban**

Leading advocates for medical marijuana legalization in Florida followed through Thursday on their promise to challenge a ban against smoking the drug that the state included in a recently enacted law, saying the ban contradicts a constitutional amendment voters approved in November to broaden access. [Read more »](#)

## **TELECOMMUNICATIONS**

### **Broadcasters Lobby FCC For End Of Main Studio Rule**

Broadcasters including NPR have offered glowing support for the Federal Communications Commission's proposal to eliminate the "main studio" rule, saying that removing it would modernize regulations and reduce administrative overhead, although at least one media trade group has offered words of caution. [Read more »](#)

National Oceanic and  
Atmospheric Administration  
North Carolina General Assembly  
Office of the Comptroller of the  
Currency  
Pennsylvania Supreme Court  
Solicitors Regulation Authority  
Texas Legislature  
U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Health and  
Human Services  
U.S. Department of Homeland  
Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of Veterans  
Affairs  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection  
Agency  
U.S. General Services  
Administration  
U.S. Immigration and Customs  
Enforcement  
U.S. Senate  
U.S. Supreme Court  
United Nations

## INTERNATIONAL TRADE

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### **Fla. Considers Backing Out Of Business With Venezuela**

Florida Gov. Rick Scott announced Wednesday that he plans to present a proposal to bar the state of Florida from doing business with any organization that supports the regime of Nicolas Maduro in Venezuela, a move that could run afoul of federal law. [Read more »](#)

### **EU-Japan Trade Deal Punts On Investor Arbitration, Data**

European Union and Japanese officials announced Thursday that they have reached an “agreement in principle” for a sweeping new trade deal, but kicked the can down the road in several sensitive areas, including investment arbitration and rules governing cross-border data flows. [Read more »](#)

## EXPERT ANALYSIS

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### **What To Know About High Court's Travel Ban Ruling**

Last week, the U.S. Supreme Court partially lifted the preliminary injunctions that blocked President Donald Trump’s “travel ban” executive order. However, continuing litigation and subsequent revisions and implementation have significantly narrowed the effect of the order particularly with respect to business travelers, say Maria Fernanda Gandarez and Matthew Kolodziej of Ogletree Deakins Nash Smoak & Stewart PC. [Read more »](#)

### **Comp Time Questions Under Working Families Flexibility Act**

The Working Families Flexibility Act, which allows private sector companies to offer eligible employees paid time off (comp time) in lieu of traditional wages, is currently awaiting passage by the U.S. Senate. While it may be a topic of dispute, there is no denying the bill has raised questions from both proponents and opponents alike, say Annette Idalski and Mary Claire Smith of Chamberlain Hrdlicka White Williams & Aughtry. [Read more »](#)

### **Policymakers Accelerate On Driverless-Car Cybersecurity**

A uniform national framework for the cybersecurity issues implicated by autonomous vehicles is needed to supplant the numerous state laws and regulations that have sprung up in the absence of federal legislation. Secretary of Transportation Elaine Chao and Congress have an opportunity to provide just that, says Nancy Libin, a partner at Jenner & Block LLP and former chief privacy officer of the U.S. Department of Justice. [Read more »](#)

## LEXIS PRACTICE ADVISOR

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### **Considerations For Entry Into The Marijuana Industry**

The current juxtaposition between federal and state marijuana laws impacts how lawyers, courts and legislators address issues in this fascinating new industry. Cátia Kossovsky of Tucker Arensberg PC explains how attorneys can help marijuana-related businesses navigate through all of the various requirements. [Read more »](#)

## LEGAL INDUSTRY

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### **Analysis**

### **What The Recent Mergers In Legal Tech Mean For BigLaw**

The fast pace of legal technology mergers so far in 2017 could drive the availability of more effective technology for BigLaw firms to serve their clients, especially as some of the industry’s largest tech providers snap up cutting edge artificial intelligence startups. [Read more »](#)

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Cooley nabbed the top spot on our list of legal lions this week for tossing a \$15

billion multidistrict litigation that accused Facebook of user tracking, while Shook Hardy & Bacon LLP, Arnold & Porter Kaye Scholer LLP and Jones Day found themselves among the legal lambs when a Florida state appeals court reversed a jury's verdict that had favored two tobacco companies over an ex-smoker battling terminal illness. [Read more »](#)

### **Clifford Chance Under Scrutiny For Excalibur Finance Debacle**

U.K. firm Clifford Chance LLP is the target of a legal regulator investigation focused on its involvement with litigation funders who backed an oil exploration firm's disastrous \$1.6 billion suit against U.S. energy companies, a person familiar with the matter confirmed Thursday. [Read more »](#)

### **White Attorney Loses Fight Over Makeup Of Texas Bar Board**

The Texas Legislature's decision to revoke a statute requiring the State Bar of Texas to include four minority members on its board and replace it with rules for hiring at-large directors has mooted a complaint brought by a white lawyer claiming discrimination, a federal judge ruled Wednesday. [Read more »](#)

#### **JOBS**

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[Lane Powell](#)

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[Nabors Giblin](#)

[Nix Patterson](#)

[Potter DeAgostino](#)

[Richards Rodriguez](#)

[Rutledge Ecenia](#)

[Shaw Bransford](#)

Shook Hardy  
Steptoe & Johnson LLP  
Stoel Rives  
Tucker Arensberg  
Vinson & Elkins  
White and Williams  
Williams Parker  
WilmerHale  
Wilson Robertson

#### COMPANIES

American Petroleum Institute Inc.  
Goldman Sachs Group Inc.  
Reed Elsevier  
Sierra Club  
Twitter Inc.  
AARP Inc.  
Allied Irish Banks PLC  
American Civil Liberties Union  
American Enterprise Institute  
American International Group Inc.  
Associated Press  
Bank of America Corporation  
BlackRobe Capital Partners LLC  
CITGO Petroleum Corp.  
Center for Biological Diversity Inc.  
China Integrated Energy Inc.  
Citigroup Inc.  
Cloud Security Alliance  
Deloitte Touche  
Deutsche Bank AG  
Environmental Defense Fund Inc.  
Facebook  
Fannie Mae  
Federation for American Immigration Reform  
Freddie Mac  
Google Inc.  
Gulf Oil Limited Partnership  
JPMorgan Chase & Co.  
Kelly Services, Inc.  
Lambda Legal Defense & Educational Fund  
LexisNexis Group  
London Stock Exchange Group PLC  
Morgan Stanley  
Murphy USA Inc.  
NBCUniversal Inc.  
National Conference of State Legislatures  
National Public Radio Inc.  
Natural Resources Defense Council  
Netflix Inc.  
Odebrecht SA



Philip Morris USA Inc.  
Platinum Partners LP  
PricewaterhouseCoopers  
Prudential Financial Inc.  
Reynolds American Inc.  
Rothschild & Co. SCA  
SIFMA  
Skype Technologies SA  
State Bar of Texas  
State Street Corp.  
Temple-Inland Inc.  
The Bank of New York Mellon Corporation  
Thrivent Financial  
Turing Pharmaceuticals AG  
Tyler Technologies, Inc.  
U.S. Chamber of Commerce  
Vereit Inc.  
Wells Fargo & Co.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Federal Reserve System  
Federal Trade Commission  
Bureau of Citizenship and Immigration Services  
European Union  
Federal Deposit Insurance Corp.  
Internal Revenue Service  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
Alaska Department of Law  
Bureau of Land Management  
Equal Employment Opportunity Commission  
European Commission  
Executive Office of the President  
Federal Communications Commission  
Financial Crimes Enforcement Network  
Financial Stability Oversight Council  
Food and Drug Administration  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
National Labor Relations Board  
North Carolina General Assembly  
Office of the Comptroller of the Currency  
Pennsylvania Supreme Court  
Solicitors Regulation Authority  
Texas Legislature

U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. General Services Administration  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
United Nations

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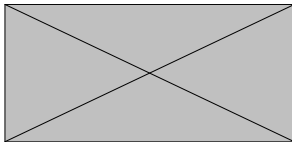
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**Subject:** [Marketing Mail] Justice Sotomayor On Working A Room And The Post-Scalia Void



**PUBLIC POLICY.**

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**Tuesday, June 20, 2017**

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## **EXCLUSIVE**

### **Feature**

## **Justice Sotomayor On Working A Room And The Post-Scalia Void**

Justice Sonia Sotomayor discusses the one thing she hates seeing at oral arguments, why diversity matters on the federal bench, and her habit of embracing audience members at live talks, in the first of two articles based on an exclusive interview with the 111th justice. [Read more »](#)

## **TOP NEWS**

### **Justices To Hear Historic Partisan Gerrymandering Case**

The Supreme Court will have the chance to rule for the first time in its history that a politically driven gerrymander is unconstitutional, agreeing to hear a case Monday involving Wisconsin's 2011 electoral redistricting plan for the state legislature that Democrats say Republicans drew unfairly. [Read more »](#)

### **Trump Era In Spotlight At NYC Bar's Diversity Conference**

President Donald Trump was never far from the center of attention Monday morning at the New York City Bar Association's Diversity and Inclusion Conference, the organization's third annual symposium on attorneys' responsibilities not only as litigants and activists but also as colleagues and community members. [Read more »](#)

### **11 New Immigration Judges Sworn In At EOIR**

The Executive Office for Immigration Review has sworn in 11 new immigration judges who will be hearing cases in California, Florida, Georgia, Illinois, Louisiana, New Jersey, Texas, Utah and Virginia, the immigration agency announced on Friday. [Read more »](#)

### **Justices Nix Claims Against Bush Officials Over 9/11 Probe**

Former U.S. Attorney General John Ashcroft and other high-ranking Bush administration officials cannot be held personally liable for alleged civil rights abuses during the FBI's post-9/11 investigation, the Supreme Court held on Monday, scrapping yet another suit from Muslim immigrants detained in Ashcroft's "hold-until-cleared" dragnet. [Read more »](#)

### **Trump Floats Names To Fill Posts At NSA, DOD, USTR, More**

President Donald Trump said late Friday he would fill roles at the National Security Agency, U.S. Department of Defense and U.S. Trade Representative with a former federal prosecutor and whistleblower expert, a rocket engine maker's ex-CEO and an agriculture expert steeped in policymaking. [Read more »](#)

## **LAW FIRMS**

Ahmad Zavitsanos  
Akin Gump  
Baker Donelson  
Ballard Spahr  
Barclay Damon  
BatesCarey LLP  
Bell Nunnally  
Boies Schiller  
Call & Jensen  
Coats Rose  
Coblentz Patch  
Covington & Burling  
Crowell & Moring  
Dentons  
Dorsey & Whitney  
Faegre Baker  
Ferraiuoli LLC  
Flachsbart & Greenspoon  
Foley & Lardner  
Freeman Freeman  
Gibson Dunn  
Hall Lamb  
Hogan Lovells  
Holland & Knight  
Holmes Weddle  
Horvitz & Levy  
Irell & Manella  
Jenner & Block  
Jermain Dunnagan  
Kirkland & Ellis  
Kramer Levin  
Krueger Iselin  
Lewis Baach  
Lewis Roca  
Linklaters  
Littler Mendelson  
Loeb & Loeb  
Mann Law Group  
Mayer Brown

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## Analysis

### Trump's FDIC Pick May Not Test Agency's Unwinding Power

President Donald Trump's choice of a top Republican staffer on the House Financial Services Committee to lead the Federal Deposit Insurance Corp. should not necessarily be seen as an indication the administration wants to eliminate the agency's power to unwind a failing global financial firm, experts say. [Read more »](#)

## BANKING & SECURITIES

### CFTC Watchdog Blasts Agency's Swaps Margin Analysis

The U.S. Commodity Futures Trading Commission's Office of Inspector General released a report Friday criticizing the cost-benefit analysis the agency conducted when developing margin rules for uncleared swaps, saying the CFTC as a whole is uncommitted to robust cost-benefit consideration. [Read more »](#)

### Argentina Unveils 100-Yr Bond Amid Capital Markets Return

Argentina on Monday announced a 100-year bond, an extraordinary step coming one year after the Latin American country returned to global capital markets upon resolving a highly litigious bond default that had isolated the country from international finance. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Calif. Can't Dodge Challenge To Low Carbon Fuel Standard

A California federal judge has allowed a challenge by energy and agricultural groups to the state's low carbon fuel standard to proceed, dealing a blow to the state Air Resources Board and environmental organizations that had sought to shut down the litigation. [Read more »](#)

### No Attys' Fees For Pebble Mine Foes, Alaska High Court Says

Alaska's high court won't force mining industry groups to pay their opponents' legal fees from the groups' failed challenge to a ballot initiative that expanded the regulatory hurdles major mining projects face, saying Friday that even though the groups lost the fight, the nature of their challenge posed questions about constitutional limits. [Read more »](#)

## IP & TECHNOLOGY

### Lawyers Weigh In On High Court's Offensive-TM Ruling

The U.S. Supreme Court on Monday decided in *Matal v. Tam* that the federal government's ban on offensive-trademark registrations violates the First Amendment. Here, attorneys tell Law360 why the decision is significant. [Read more »](#)

### High Court Grant On AIA Reopens Issue, Fed. Circ. Told

A patent holder urged a Federal Circuit panel Monday to decide whether the America Invents Act's inter partes reviews are constitutional, arguing the U.S. Supreme Court's decision this month to decide the question means that the panel can do the same. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### CBP, Airlines Moving Forward On Facial Recognition Cameras

U.S. Customs and Border Protection on Monday announced that it will be working with commercial airlines to take pictures of travelers flying internationally, and then storing them temporarily on the cloud, to verify travelers' immigration status and identity. [Read more »](#)

McDermott Will  
Michael Best  
Milbank Tweed  
Mintz Levin  
MoloLamken LLP  
Morrison & Foerster  
Munger Tolles  
Nelson Mullins  
Nutter McClennen  
O'Neill & Borges  
Paul Weiss  
Phillips Nizer  
Proskauer Rose  
Quinn Emanuel  
Rathje & Woodward  
Schiff Hardin  
Shaw Bransford  
Sidley Austin  
Squire Patton Boggs  
Stearns Weaver  
Sterne Kessler  
Susman Godfrey  
Turner Boyd  
Wanger Jones  
Weil Gotshal  
White & Case  
Willenken Wilson

## COMPANIES

Airbnb Inc.  
American Bar Association  
American Trucking Associations Inc.  
Caterpillar Inc.  
Center for Constitutional Rights  
Cincinnati Financial Corporation  
Citigroup Inc.  
Conservation Law Foundation  
Environmental Defense Fund Inc.  
Goodyear Tire & Rubber Co.  
H.D. Smith LLC  
HSBC Holdings PLC  
Human Rights Campaign  
International Business Machines Corporation  
Lambda Legal Defense & Educational Fund  
Lehman Brothers Holdings Inc.  
Long Island Rail Road Co.  
Mallinckrodt PLC  
National Cattlemen's Beef Association  
National Public Radio Inc.

CLV000713

## **\$1.6B Penn Station Revamp Gets Final Go-Ahead**

The \$1.6 billion Penn Station redevelopment project is set to move forward as developers Related Companies and Vornado Realty LP and construction firm Skanska AB finalized the financial arrangements of the deal, New York Gov. Andrew M. Cuomo has announced. [Read more »](#)

## **REAL ESTATE**

### **Developer, Miami Clash Over Default Finding On \$400M Project**

A dispute between Miami and a developer building a \$400 million mixed-use luxury project on city-owned property is heating up, with the developer filing a lawsuit accusing the City Commission of inventing a default to justify breaking their long-standing agreement, and the city telling the developer to clear out. [Read more »](#)

## **PRIVACY & CONSUMER PROTECTION**

### **DOE To Look Into Trans Student Bias Complaints Individually**

The U.S. Department of Education's Office of Civil Rights has instructed its field offices that allegations of discrimination lodged by transgender students be considered individually, meaning that investigations can be opened on some claims but not others, according to a memo published Friday. [Read more »](#)

## **GOVERNMENT CONTRACTS**

### **Public Input Sought On Which DOD Buying Rules To Cut**

The Department of Defense is looking for public input on where to cut existing federal procurement rules as part of a plan to implement President Donald Trump's executive orders targeting administrative regulations. [Read more »](#)

## **TAX**

### **Justices Again Spurn Challenge To Backdated Mich. Tax Law**

The U.S. Supreme Court on Monday once again rejected a petition to review a backdated legislative change in the state of Michigan that knocked out anticipated tax refunds for a number of corporations. [Read more »](#)

### **NJ Senate Passes 'Airbnb' Tax Bill**

The New Jersey Senate on Monday approved legislation that would tax short-term online rental accommodations such as Airbnb and FlipKey, sealing its passage in both of the state's legislative chambers and placing it before Gov. Chris Christie to sign into law if he chooses. [Read more »](#)

### **Jersey City Tax-Abated Projects' Labor Rules Tossed**

A New Jersey federal judge has tossed Jersey City's labor agreement requirements for tax-abated private building projects, writing that the rules are void for interfering with federal labor law. [Read more »](#)

## **BANKRUPTCY**

### **Puerto Rico Creditors Rip Board's Plan To Solve Bond Conflict**

The federally appointed board overseeing Puerto Rico's restructuring is facing heat over its proposal to appoint independent agents to resolve competing claims over the territory's sales tax revenues, as bondholders and insurers complained Friday that the agent selection process is flawed. [Read more »](#)

## **IMMIGRATION**

National Rifle Association of America  
Natural Resources Defense Council  
New York City Bar Association  
Nomura Holdings, Inc.  
Northern Dynasty Minerals Ltd.  
Oil States International Inc.  
OneWest Bank Group LLC  
Port of Houston Authority  
Purdue Pharma LP  
Reynolds American Inc.  
STR Holdings, Inc.  
Sierra Club  
Skanska  
Sony Corporation  
Starwood Hotel & Resorts Worldwide Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
Vizio Inc.  
Washington Post Co.  
Washington Redskins

## **GOVERNMENT AGENCIES**

California Environmental Protection Agency  
Cherokee Nation  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Defense Acquisition Regulations System  
Department of Commerce  
Executive Office for Immigration Review  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Federal Energy Regulatory Commission  
Federal Highway Administration  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Government Accountability Office  
International Trade Administration  
Library of Congress  
Michigan Department of Treasury  
National Railroad Passenger Corporation

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## AGs Urge Court To Prohibit Sanctuary City Policies

Attorneys general from 10 states on Friday urged a California federal judge in a friend of the court brief to dismiss San Francisco's challenge to President Donald Trump's executive order on sanctuary cities, asserting that local governments had no standing to sue based on the facially constitutional text of the order. [Read more »](#)

## After Plagiarism Claims, Wis. Sheriff Won't Take DHS Post

Milwaukee County Sheriff David Clarke, an outspoken supporter of President Donald Trump known for his inflammatory comments on Twitter, is no longer being considered for a role within the Department of Homeland Security, an agency spokesperson confirmed Monday. [Read more »](#)

## TELECOMMUNICATIONS

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## FTC Suggests Edits To IoT Security Upgrade Guidance

The Federal Trade Commission said Monday it has urged a National Telecommunications and Information Administration working group to tweak draft guidance regarding how to communicate with consumers about security upgrades for internet of things devices, suggesting changes the agency said would keep shoppers informed without misleading or overwhelming them. [Read more »](#)

## PENNSYLVANIA

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## Testimony To Begin Tuesday In Philly DA's Corruption Trial

Testimony is set to begin Tuesday in the federal corruption trial of Philadelphia District Attorney Seth Williams, after his attorneys and federal prosecutors spent all day Monday selecting a jury. [Read more »](#)

## EXPERT ANALYSIS

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## The Evolution Of Opioid Suits And Insurance Coverage

In the midst of the worst drug crisis in American history, two key developments this month may have far-reaching impacts on both the underlying liability claims as well as the insurers to whom the defendants are looking to finance hundreds of millions of dollars in exposure, says Adam Fleischer of BatesCarey LLP. [Read more »](#)

## What Lenders Must Know About The FSMA: Part 1

In the first part of this two-part series offering practical advice for lenders looking to understand the Food Safety Modernization Act, Breia Schleuss and Rachael Dettmann Spiegel of Faegre Baker Daniels LLP analyze the components addressing preventive controls for human and animal food and sanitary transportation. [Read more »](#)

## A Guide To Workplace Harassment Law Compliance In Calif.

About one year after the California Department of Fair Employment and Housing issued a number of new and wide-ranging regulations, it recently issued specific guidance on employer practices for preventing and addressing workplace harassment. Shirin Forootan of Call & Jensen examines the steps all California employers must take to prevent and correct harassment according to the new guidance. [Read more »](#)

## Texas Steel Bill Raises Questions For Construction

Texas Senate Bill 1289 requires the use of domestic iron and steel for public infrastructure projects in the state. But given the higher price of U.S.-sourced steel, the bill would increase project costs significantly, likely resulting in fewer capital improvements, and possibly impacting construction-related jobs, say Brian Gaudet and Traci Donatto of Coats Rose PC. [Read more »](#)

National Security Agency  
National Telecommunications and Information Administration  
New Jersey Legislature  
Office of the Comptroller of the Currency  
Port Authority of New York & New Jersey  
Texas Department of Transportation  
Texas State Senate  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Education  
U.S. Department of Energy  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Veterans Affairs  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Navy  
U.S. Patent and Trademark Office  
U.S. Supreme Court

## Roundup

### FERC At 40

In 1977, the Federal Power Commission was replaced by the Federal Energy Regulatory Commission, and the U.S. energy system entered a new era. This recent series takes stock of FERC's past, present and future, on the occasion of its 40th anniversary. [Read more »](#)

## LEGAL INDUSTRY

### The Perks Of Giving Associates A Voice In Firm Management

A new program at midsize law firm Barclay Damon has allowed associates to help shape important management policies. Here, experts discuss the impact such programs can have on the recruitment and retention of top talent. [Read more »](#)

### Implicit Bias Is Real And Needs To Be Addressed

A panel of diversity experts said that lawyers and law firms need to step up their efforts to recognize and combat how unconscious stereotypes influence decisions and interactions, during an American Bar Association webinar Monday discussing implicit bias. [Read more »](#)

### Plaintiffs Bar Perspective: Hall Lamb's Adam Hall

Learning how to collect, efficiently analyze and utilize e-discovery is critical to a successful plaintiffs attorney's practice, particularly if the economics of the case do not justify a page-by-page analysis of tens of thousands of documents, says Adam Hall of Hall Lamb Hall & Leto PA. [Read more »](#)

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Metropolitan Water District  
Los Angeles, California

## LAW FIRMS

Kirkland & Ellis  
Morrison & Foerster  
Quinn Emanuel  
Weil Gotshal  
White & Case  
Ahmad Zavitsanos  
Akin Gump  
Baker Donelson  
Ballard Spahr  
Barclay Damon  
BatesCarey LLP  
Bell Nunnally  
Boies Schiller  
Call & Jensen  
Coats Rose  
Coblentz Patch  
Covington & Burling  
Crowell & Moring  
Dentons  
Dorsey & Whitney  
Faegre Baker  
Ferraioli LLC

Flachsbart & Greenspoon  
Foley & Lardner  
Freeman Freeman  
Gibson Dunn  
Hall Lamb  
Hogan Lovells  
Holland & Knight  
Holmes Weddle  
Horvitz & Levy  
Irell & Manella  
Jenner & Block  
Jermain Dunnagan  
Kramer Levin  
Krueger Iselin  
Lewis Baach  
Lewis Roca  
Linklaters  
Littler Mendelson  
Loeb & Loeb  
Mann Law Group  
Mayer Brown  
McDermott Will  
Michael Best  
Milbank Tweed  
Mintz Levin  
MoloLamken LLP  
Munger Tolles  
Nelson Mullins  
Nutter McClennen  
O'Neill & Borges  
Paul Weiss  
Phillips Nizer  
Proskauer Rose  
Rathje & Woodward  
Schiff Hardin  
Shaw Bransford  
Sidley Austin  
Squire Patton Boggs  
Stearns Weaver  
Sterne Kessler  
Susman Godfrey  
Turner Boyd  
Wanger Jones  
Willenken Wilson

#### COMPANIES

Center for Constitutional Rights  
Twitter Inc.  
Washington Post Co.  
Airbnb Inc.  
American Bar Association

American Trucking Associations Inc.  
Caterpillar Inc.  
Cincinnati Financial Corporation  
Citigroup Inc.  
Conservation Law Foundation  
Environmental Defense Fund Inc.  
Goodyear Tire & Rubber Co.  
H.D. Smith LLC  
HSBC Holdings PLC  
Human Rights Campaign  
International Business Machines Corporation  
Lambda Legal Defense & Educational Fund  
Lehman Brothers Holdings Inc.  
Long Island Rail Road Co.  
Mallinckrodt PLC  
National Cattlemen's Beef Association  
National Public Radio Inc.  
National Rifle Association of America  
Natural Resources Defense Council  
New York City Bar Association  
Nomura Holdings, Inc.  
Northern Dynasty Minerals Ltd.  
Oil States International Inc.  
OneWest Bank Group LLC  
Port of Houston Authority  
Purdue Pharma LP  
Reynolds American Inc.  
STR Holdings, Inc.  
Sierra Club  
Skanska  
Sony Corporation  
Starwood Hotel & Resorts Worldwide Inc.  
Turner Broadcasting System Inc.  
Vizio Inc.  
Washington Redskins

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Deposit Insurance Corp.  
U.S. Department of Homeland Security  
Executive Office of the President  
Federal Reserve System  
U.S. Department of the Treasury  
California Environmental Protection Agency  
Cherokee Nation  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Defense Acquisition Regulations System  
Department of Commerce  
Executive Office for Immigration Review



Federal Bureau of Investigation  
Federal Emergency Management Agency  
Federal Energy Regulatory Commission  
Federal Highway Administration  
Federal Trade Commission  
Food and Drug Administration  
Government Accountability Office  
International Trade Administration  
Library of Congress  
Michigan Department of Treasury  
National Railroad Passenger Corporation  
National Security Agency  
National Telecommunications and Information Administration  
New Jersey Legislature  
Office of the Comptroller of the Currency  
Port Authority of New York & New Jersey  
Texas Department of Transportation  
Texas State Senate  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Education  
U.S. Department of Energy  
U.S. Department of Veterans Affairs  
U.S. Environmental Protection Agency  
U.S. Navy  
U.S. Patent and Trademark Office

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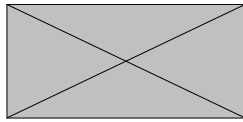
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 9/19/2016 7:36:02 AM  
**Subject:** [Marketing Mail] GWB Scandal Motive Fight Is Matter Of Timing As Trial Looms



**PUBLIC POLICY**

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**Monday, September 19, 2016**

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## **TOP NEWS**

### **GWB Scandal Motive Fight Is Matter Of Timing As Trial Looms**

Just days before Monday's long-awaited opening statements of the George Washington Bridge lane-closing trial, prosecutors and one of the defendants went to battle over whether the government may assert that his motives include trying to curry favor with New Jersey Gov. Chris Christie and whether there is even enough time left for this argument to be decided.

### **FATCA Endangers Privacy, Financial Security, 6th Circ. Told**

Sen. Rand Paul, R-Ky., and others asked the Sixth Circuit on Thursday to revive their challenge to offshore tax compliance measures, arguing that the harms under these measures include not just the loss of constitutionally protected privacy, but also financial and security risks

### **DC Judicial Nominee Moves To Full Senate For Consideration**

The Senate Judiciary Committee has unanimously agreed to send a longtime Washington, D.C., Superior Court judge through to the full Senate for further consideration on her nomination to a judgeship with the capitol's federal district court.

### **Texas High Court Won't Hear Scientology Harassment Suit**

The Texas Supreme Court on Friday dismissed two separate but related petitions for review from the Church of Scientology and a group that had been accused alongside the church of harassment by a former member who has become a critic of the church, after the underlying lawsuit was dismissed.

## **ANALYSIS**

### **Examining Goodlatte's EB-5 Bill, As Deadline Looms**

With the EB-5 visa regional center program slated to expire at the end of the month, House Judiciary Committee Chairman Bob Goodlatte, R-Va., has introduced a reform bill just weeks before the reauthorization deadline. Here, Law360 takes a closer look at its proposals, which could have a serious impact on foreign investors if passed.

### **Standoff Over Web Transition Threatens US Leadership**

The showdown on Capitol Hill over the planned handover of the internet's domain name system to a private and global multi-stakeholder community is riddled with hyperbole and glosses over facts, risking U.S. credibility on internet freedom issues, experts say.

## **BANKING & SECURITIES**

### **House Committee To Investigate Wells Fargo Fraud**

## **LAW FIRMS**

Alexander Dubose  
Baker Donelson  
Bancroft PLLC  
Bernstein Litowitz  
Bressler Amery  
Brownstein Hyatt  
Chadbourn & Parke  
Clemens & Spencer  
Constangy Brooks  
Covington & Burling  
Davis Polk  
E. Stewart Jones  
Fish & Richardson  
Gibson McAskil  
Hacker Murphy  
Harris Wiltshire  
Hogan Lovells  
Hughes Hubbard  
Ice Miller  
Jackson Lewis  
Kaufman Dolowich  
Kaye Scholer  
Kiesel Law  
Kirkland & Ellis  
Kobre & Kim  
Littler Mendelson  
McCarter & English  
McKool Smith  
Milbank Tweed  
Miller Mayer  
Mintz Levin  
Norton Rose Fulbright  
Perkins Coie  
Polsinelli  
Reinhart Boerner  
Robins Kaplan  
Simpson Thacher  
Squire Patton Boggs  
Steptoe & Johnson LLP

CLV000720

The House Financial Services Committee on Friday launched an investigation into Wells Fargo & Co., and the role of federal regulators that should have been watching over the company, after the bank agreed to pay \$185 million over allegations that it fraudulently created some 2 million unauthorized accounts.

### **SEC Member Invites Comments On Regulation NMS Review**

The U.S. Securities and Exchange Commission said Friday that Regulation NMS will be up for review this year under the Regulatory Flexibility Act and an agency commissioner said he wants public comments on whether the rule should be changed or even eliminated entirely.

### **Industry Group Backs Capital Levels Framework For Insurers**

The Financial Services Roundtable expressed its support Friday for the Federal Reserve's proposal for how insurance companies under its supervision should calculate their capital levels, but said it doesn't think the Fed should craft a new formula for two systemically important insurers.

## **HEALTH & LIFE SCIENCES**

### **GOP Reps. Call For NIH Review After NFL Grant Controversy**

A group of Republicans from the U.S. House Energy and Commerce Committee on Thursday called for an investigation into the National Institutes of Health's grant process after the NFL was accused of improperly attempting to influence the funding of a scientific study on the degenerative brain condition known as CTE.

## **MEDIA & ENTERTAINMENT**

### **Judge Sides With BMI Over DOJ On Music Licensing Deals**

A New York federal judge ruled for Broadcast Music Inc. in its fight with the U.S. Department of Justice over whether a 75-year-old decree requires the organization to issue licenses only for works it holds all the rights to, finding Friday that music industry antitrust agreements do not bar fractional licenses for music.

## **TRANSPORTATION & INFRASTRUCTURE**

### **Tesla's Direct Sales Plan Dooms Mich. Dealership Bid**

The Michigan Department of State on Thursday shot down a bid by Tesla Motors Inc. to open a dealership in the state, saying the electric automaker's plan to sell its vehicles directly to consumers instead of through a separate franchisee disqualifies it from holding a new-dealer license.

### **Taxicab Cos. Blast Miami-Dade's Bid To Ax 'Uber Law' Suit**

Taxicab companies on Friday fired back at Miami-Dade County's bid to toss their proposed class action alleging a new draft ordinance legalizing ride-hailing providers such as Uber and Lyft violates their equal protection rights, insisting their claims are well-pled and viable.

## **EMPLOYMENT**

### **Marijuana Legalization Votes Won't End Drug-Free Workplaces**

Eight states will vote in November on whether to legalize marijuana for medical or recreational use, but attorneys say employers in those states will be able to maintain drug-free workplaces regardless of what happens at the polls.

## **PRODUCT LIABILITY**

Vinson & Elkins

Weil Gotshal

## **COMPANIES**

AT&T Inc.

Aetna Inc.

American Automobile Association

American Civil Liberties Union

American Immigration Lawyers Association

American International Group Inc.

American Society Of Composers Authors & Publishers

Apple Inc.

Bayer AG

BlackRock

Broadcast Music Inc.

Center for Biological Diversity Inc.

Charter Communications Inc.

Consumer Federation of America

Financial Services Roundtable

Foundation for the National Institutes of Health

General Motors

Home Depot, Inc.

Humana Inc.

Internet Corporation for Assigned Names and Numbers

LinkedIn Corp.

Los Angeles Times

Lyft Inc.

Marsh & McLennan Companies Inc.

Massachusetts Mutual Life Insurance

MetLife Inc.

Mexican American Legal Defense and Education Fund

Monsanto Company

Mountain States Employers Council

Mylan NV

NFL Enterprises LLC

National Cable & Telecommunications Association

National Immigration Law Center

Nationwide Mutual Insurance Co. Petrobras

Planned Parenthood Federation

PricewaterhouseCoopers

Prudential Financial Inc.

Quest Diagnostics Incorporated

Qwest Communications International Inc.

CLV000721

## Bill Seeks To Stop Child Deaths By Heatstroke In Vehicles

A new bipartisan bill that would require safety systems in passenger vehicles to prevent children from dying or being injured by heatstroke when left unattended was referred to the U.S. House Energy and Commerce Committee on Thursday.

## GOVERNMENT CONTRACTS

## DOL Launches Preassessment For Fair Pay Rule Clearance

Federal contractors can get a head start on checking their labor law compliance with the contentious Fair Pay and Safe Workplaces rule by requesting an assessment outside of a particular project, under a preassessment program now underway at the U.S. Department of Labor.

## INTERNATIONAL TRADE

## WTO Deals Final Blow To Indian Solar Energy Rules

The World Trade Organization's Appellate Body struck down the local content requirements of India's sweeping solar energy initiative Friday, upholding the original panel's decision and forcing New Delhi to alter its program or face steep retaliation from the U.S. government.

## TAX

## Rite Aid Urges Justices To Toss NY Real Estate Tax Rule

Rite Aid Corp. has further pushed the U.S. Supreme Court to take up the drugstore chain's case against tax assessments from two New York towns, arguing they should not be able to tax the company based on its lease rather than the underlying property's value.

## BANKRUPTCY

## Atlantic City Seeks Reprieve From Default On \$73M NJ Loan

Atlantic City has asked New Jersey officials to not hold the municipality in default for violating the terms of a \$73 million loan agreement issued as part of a financial bailout package for the cash-strapped resort town.

## IMMIGRATION

## GOP Rep. Moves To Cut Off Funds For Obama Refugee Plan

U.S. Rep. Sam Graves, R-Mo., on Thursday introduced legislation that would block funding for the White House's refugee proposal, announced earlier this week, that would increase the number of refugees accepted into the U.S. from 85,000 to 110,000.

## Ariz. Settles 'Show Me Your Papers' Suit

Arizona has reached a settlement to end remaining claims in a case where plaintiffs challenged the constitutionality of the state's controversial "show me your papers" law, handing over \$1.4 million in attorneys' fees and blocking certain aspects of the law.

## TELECOMMUNICATIONS

## Telmate Again Contests FCC Inmate Call Rate Caps At DC Circ.

Inmate calling service company Telmate LLC does not appear satisfied with the Federal Communications Commission's August efforts to increase the limits the

Rite Aid Corporation  
Royal Philips NV  
Service Employees International Union  
Spotify Technology SA  
Syngenta AG  
TYCO International Ltd.  
Telmate LLC  
Tesla Motors Inc.  
The Ackert Advisory  
Uber Technologies Inc.  
Valeant Pharmaceuticals International  
Vereit Inc.  
Wells Fargo & Co.

## GOVERNMENT AGENCIES

Arizona Attorney General's Office  
California Environmental Protection Agency  
California Natural Resources Agency  
California Public Employees' Retirement System  
Congressional Budget Office  
Consumer Financial Protection Bureau  
Council on Environmental Quality  
Department of Commerce  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Federal Financial Institutions Examination Council  
Federal Reserve System  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Food and Drug Administration  
Internal Revenue Service  
National Institutes of Health  
National Park Service  
National Telecommunications and Information Administration  
New Jersey Department of Banking and Insurance  
New York State Department of

CLV000722

agency set in October on per-minute charges for inmate phone calls, filing a new legal challenge Thursday at the D.C. Circuit.

### **White House Official Backs Wheeler On Set-Top Box Agenda**

A senior White House official threw his weight behind Federal Communications Commissioner Tom Wheeler's crusade to free consumers from obligatory set-top-box rental fees in a Friday speech, acknowledging the regulator's efforts amid bipartisan criticism that even a revised plan to "unlock the box" falls short in many respects.

## **EXPERT ANALYSIS**

### **In Congress: A Continuing Resolution?**

The finish line for Congress could come this week as House and Senate leaders negotiate a continuing resolution to keep the government running into December, though major points of contention over possible provisions were still unresolved as of Friday evening, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP.

### **How CMS Plans To Steady An Unstable ACA Marketplace**

In the wake of market instability the Centers for Medicare and Medicaid Services has proposed benefit and payment parameters for 2018 to improve risk pools and make Affordable Care Act exchanges more attractive. However, if not accompanied by other regulatory measures, these provisions would have unintended consequences for the insurance market, says Cynthia Borrelli of Bressler Amery & Ross PC.

### **Raising Calif. GHG Targets: A Look At What's Ahead**

With the recent passing of California's Senate Bill 32 and its companion legislation, Assembly Bill 197, we find ourselves again in a period of transition as the state moves forward with climate change 2.0. We know where the state is heading, but details about how it will get there are still to be developed, say attorneys at Brownstein Hyatt Farber Schreck.

## **LEGAL INDUSTRY**

### **The 4 Best Places To Meet A Future Client**

Too often, ambitious lawyers pour their time and energy into developing business in all the wrong places, pursuing activities that ultimately yield a low return on investment. Here, rainmakers divulge the venues that present the greatest opportunity for rounding up new clients.

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

Data breach victims achieve a litigation breakthrough while the U.S. Securities and Exchange Commission praises whistleblower attorneys as a crucial component of its enforcement agenda. Those stories top the corporate legal news you may have missed last week.

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

### **Pro Bono Firm Of 2016: Chadbourne & Parke**

By expanding its resolute efforts to help undocumented immigrant children avoid deportation, to secure asylum for endangered migrants and to gain justice for a family torn apart by a Chilean war criminal, Chadbourne & Parke LLP has earned a spot on Law360's Pro Bono Firms of 2016.

### **Rainmaker Q&A: McKool Smith's Robin Cohen**

Many lawyers focus on networking, attending conferences and joining associations in an effort to develop relationships that can lead to business, but it doesn't make sense to focus on these types of activities unless you have something to sell.

## **Financial Services**

[Office of the Comptroller of the Currency](#)

[Port Authority of New York & New Jersey](#)

[Securities and Exchange Commission](#)

[Tennessee Valley Authority](#)

[U.S. Department of Agriculture](#)

[U.S. Department of Health and Human Services](#)

[U.S. Department of Homeland Security](#)

[U.S. Department of Justice](#)

[U.S. Department of Labor](#)

[U.S. Department of Transportation](#)

[U.S. Department of the Treasury](#)

[U.S. General Services Administration](#)

[U.S. Senate](#)

[U.S. Supreme Court](#)

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Sophisticated clients are not going to hire you unless you have a successful track record, says Robin Cohen, head of McKool Smith's insurance recovery practice.

### **Rainmaker Q&A: Bernstein Litowitz's Blair Nicholas**

In order to be considered an expert, it is important to develop a track record of results that speaks for itself. Clients are motivated to retain not only someone who is experienced and knowledgeable in the law, but who has also consistently delivered results, says Blair Nicholas, partner at Bernstein Litowitz Berger & Grossmann LLP.

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Prudential Financial Inc.  
Wells Fargo & Co.  
AT&T Inc.  
Aetna Inc.  
American Automobile Association  
American Civil Liberties Union  
American Immigration Lawyers Association  
American Society Of Composers Authors & Publishers  
Apple Inc.  
Bayer AG  
BlackRock  
Broadcast Music Inc.  
Center for Biological Diversity Inc.  
Charter Communications Inc.  
Consumer Federation of America  
Financial Services Roundtable  
Foundation for the National Institutes of Health  
Home Depot, Inc.  
Humana Inc.  
LinkedIn Corp.  
Los Angeles Times  
Lyft Inc.  
Marsh & McLennan Companies Inc.  
Massachusetts Mutual Life Insurance  
MetLife Inc.  
Mexican American Legal Defense and Education Fund  
Mountain States Employers Council  
Mylan NV  
NFL Enterprises LLC  
National Cable & Telecommunications Association  
National Immigration Law Center  
Nationwide Mutual Insurance Co.  
Petrobras  
Planned Parenthood Federation  
PricewaterhouseCoopers  
Quest Diagnostics Incorporated  
Qwest Communications International Inc.  
Rite Aid Corporation  
Royal Philips NV  
Service Employees International Union  
Spotify Technology SA  
Syngenta AG  
TYCO International Ltd.  
Telmate LLC

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Tesla Motors Inc.  
The Ackert Advisory  
Uber Technologies Inc.  
Valeant Pharmaceuticals International  
Vereit Inc.

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U.S. Supreme Court  
U.S. Department of Justice  
Securities and Exchange Commission  
Consumer Financial Protection Bureau  
Federal Communications Commission  
Federal Reserve System  
Internal Revenue Service  
National Telecommunications and Information Administration  
Office of the Comptroller of the Currency  
U.S. Department of Health and Human Services  
Arizona Attorney General's Office  
California Environmental Protection Agency  
California Natural Resources Agency  
California Public Employees' Retirement System  
Congressional Budget Office  
Council on Environmental Quality  
Department of Commerce  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Federal Financial Institutions Examination Council  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Food and Drug Administration  
National Institutes of Health  
National Park Service  
New Jersey Department of Banking and Insurance  
New York State Department of Financial Services  
Port Authority of New York & New Jersey  
Tennessee Valley Authority  
U.S. Department of Agriculture  
U.S. Department of Homeland Security  
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U.S. Department of the Treasury  
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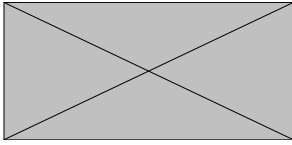
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 1/16/2019 9:27:47 AM  
**Subject:** Judiciary Says It Will Stay Fully Funded Through Next Week



**PUBLIC POLICY.**

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**Wednesday, January 16, 2019**

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## TOP NEWS

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### Judiciary Says It Will Stay Fully Funded Through Next Week

The administrative agency of the federal court system said Tuesday that federal courts will have enough funding to continue operating until Jan. 25 despite the government shutdown, the second time the courts have extended the estimated date when they will have to start cutting staff. [Read full article »](#)

### DC Circ. Can't Agree On DOJ Stay Requests, Judge Contends

The D.C. Circuit is being inconsistent about whether to pause cases involving the government during the ongoing federal shutdown, a judge on the appeals court said Tuesday, dissenting as a panel refused to delay briefing in a regulatory challenge. [Read full article »](#)

### Barr Pledges Independence In Oversight Of Mueller Probe

President Donald Trump's nominee for attorney general pledged at his Senate confirmation hearing Tuesday that he would allow Special Counsel Robert Mueller's investigation into Russian interference in the 2016 presidential election to keep running independently. [Read full article »](#)

### Senate Tax Panel Head Open To Renewing Credits For 1 Year

The chairman of the U.S. Senate Finance Committee told reporters Tuesday that he would be open to retroactively renewing expired tax credits that were included in legislation passed by the U.S. House of Representatives for a one-year period. [Read full article »](#)

### High Court Wary Of Skipped HHS Rulemaking On Hospital Pay

U.S. Supreme Court justices on Tuesday appeared skeptical of the U.S. Department of Health and Human Services' refusal to conduct notice-and-comment rulemaking when outlining a Medicare reimbursement policy that affects billions of dollars in hospital payments. [Read full article »](#)

### Justices Mull Class Action Removal In Home Depot Appeal

U.S. Supreme Court justices grappled with Home Depot's call to close what it views as a loophole in the Class Action Fairness Act's removal protections during oral arguments Tuesday in a case that started out as a debt-collection suit between a bank and a North Carolina man. [Read full article »](#)

### Treasury Adds Commodities Exception In Transition Tax Rules

The U.S. Department of the Treasury crafted a "narrow" exception for some commodities and derivatives contracts from the 15.5 percent transition tax under the 2017 tax code overhaul, in final regulations issued Tuesday. [Read full article »](#)

## Analysis

### Citizenship Question Ruling Offers Model For Peer Courts

A New York federal judge laid out exhaustive arguments for why U.S. Commerce Secretary Wilbur Ross violated the Administrative Procedure Act by including a

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CLV000728

question about citizenship status on the 2020 census Tuesday, offering a road map for other pending legal challenges and anticipating issues in a likely appeal, attorneys said. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

### Analysis

#### CWA Shift Pushes Calif., States Toward Stricter Water Regs

California is close to finalizing new protections for its wetlands in response to the Trump administration's proposal to redefine which waters are subject to federal Clean Water Act jurisdiction, leading the way for like-minded states that could use their considerable authority to counteract a new definition they see as inadequate. [Read full article »](#)

## HEALTH & LIFE SCIENCES

#### Gottlieb Says 400 FDA Staff Back On Inspections

The head of the U.S. Food and Drug Administration on Tuesday said on Twitter that 400 agency staff members are being called back from furlough to carry out high-risk inspections for food, drugs and medical devices. [Read full article »](#)

#### Dems Seek Senate Intervention In 5th Circ. ACA Case

Senate Democrats pushed the chamber and its general counsel Tuesday to intervene in a blockbuster legal feud over the Affordable Care Act, introducing a resolution that mirrors one passed by the House seeking to reverse a Texas federal judge's striking of the law. [Read full article »](#)

## MEDIA & ENTERTAINMENT

#### In Reversal, DOJ Says Wire Act Applies To All Online Gaming

The Department of Justice has broadened restrictions on online gaming, saying the Wire Act's prohibitions against interstate gambling apply to non-sports betting, in a decision that is likely to see pushback from states and online gambling companies, according to legal experts. [Read full article »](#)

#### NJ Sees \$1.25B Wagered In Legal Sports Betting In 2018

Sports betting in New Jersey totaled \$1.25 billion in wagers in 2018, a year that saw it become legal in the Garden State, with tax revenues totaling just over \$10 million and revenues for operators coming in at \$94 million since June, the New Jersey Division of Gaming Enforcement announced. [Read full article »](#)

## INSURANCE

#### NY Title Insurance Kickback Rule Revived On Appeal

A New York state appellate court ruled Tuesday that the state Department of Financial Services had the power to ban title insurance companies from wining and dining lawyers and others who could refer business to them, paring back a lower court's ruling that struck down the regulation. [Read full article »](#)

## EMPLOYMENT

### Analysis

#### Dems' \$15 Minimum Wage Push Tees Up Pitched Battle

Congressional Democrats are planning to introduce legislation Wednesday that would lift the federal minimum wage to \$15 by 2024, setting the stage for what could be a protracted battle over where the national wage floor should be. Could the ensuing debate on Capitol Hill lead to the first federal minimum wage increase in a decade?

McDermott Will  
Murphy & King  
Ogletree Deakins  
Orrick Herrington  
Paul Hastings  
Pierce Bainbridge  
Pillsbury Winthrop  
Quinn Emanuel  
Reed Smith  
Ropes & Gray  
Skadden  
Steptoe & Johnson LLP  
Wagner Law Group APC

### COMPANIES

Air Transport Association of  
America  
Allina Health System Inc.  
American Bar Association  
American Civil Liberties Union  
American International Group Inc.  
Aon Corporation  
Aspen Insurance Holdings Limited  
Cable News Network Inc.  
Center for Justice  
Citigroup Inc.  
Dow Jones & Co.  
Elevate Services Inc.  
Eris Group LLC  
Ferrari SpA  
Garretson Resolution Group  
Google Inc.  
Home Depot Inc.  
Institutional Shareholder Services  
Inc.  
Intel Corp.  
International Underwriting  
Association of London Ltd.  
Investors Bancorp Inc.  
Jardine Lloyd Thompson Group  
PLC  
KPMG International  
Lambda Legal Defense &  
Educational Fund  
Lloyd's Market Association  
MS Amlin PLC  
Major League Baseball Inc.  
Mexican American Legal Defense  
and Education Fund  
Minor League Baseball  
Mylan NV  
NASDAQ OMX Group Inc.  
NFL Enterprises LLC

[Read full article »](#)

## NY Lawmakers Pass Bill Banning Transgender Discrimination

New York state lawmakers on Tuesday passed a bill to outlaw gender identity-based discrimination, bringing an end to a 16-year push to get the legislation on the governor's desk. [Read full article »](#)

### Analysis

## MLB Deal To Open Door For Cuban Players Is No Home Run

A new deal between Major League Baseball and the Cuban Baseball Federation has the potential to open the floodgates for Cuban-born baseball players to play professionally in the U.S. without having to defect, but the regulatory changes that made the deal possible could be primed for a reversal. [Read full article »](#)

## COMPETITION

## Brazil Says Aviation Insurers Have Been Swapping Info

Brazil's antitrust authority has launched an investigation into whether American International Group Inc. and 10 other companies in the aviation and aerospace insurance industry affected competition in the country by sharing sensitive pricing information. [Read full article »](#)

## CONSUMER PROTECTION

## Brewery Hops On Shutdown Suit Bandwagon Over IPA Label

Atlas Brew Works LLC hit the federal government with a First Amendment complaint in D.C. federal court Tuesday, challenging a law that requires beer sellers to have their labels approved by the Federal Alcohol Administration, which it hasn't been doing because of the shutdown. [Read full article »](#)

## GOVERNMENT CONTRACTS

## Barr Walks Back Anti-False Claims Act Whistleblower Views

U.S. attorney general nominee William Barr on Tuesday walked back previous comments about the False Claims Act's whistleblower provisions' being an "abomination" and unconstitutional, saying he would "diligently enforce" the law if confirmed to lead the U.S. Department of Justice. [Read full article »](#)

## INTERNATIONAL TRADE

## White House Trims Davos Delegation Amid New China Talks

President Donald Trump has trimmed down his team of administration officials set to attend the World Economic Forum held in Davos, Switzerland, later this month, the White House said on Tuesday, days after the president announced that he would skip this year's international conference amid renewed talks with China. [Read full article »](#)

## Senate Moves To Challenge Russian Oligarch Sanctions Deal

The U.S. Senate pushed ahead Tuesday to potentially overturn a deal the Trump administration reached in December to ease sanctions against three companies controlled by a Russian oligarch with close Kremlin ties. [Read full article »](#)

## BANKRUPTCY

## Puerto Rico Fed Board Looks To Invalidate \$6B In Bond Debt

A federally-appointed board tasked with overseeing Puerto Rico's monumental debt restructuring joined with the island's unsecured creditors Monday to demand that \$6

National Basketball Association

National Collegiate Athletic Association

National Congress of American Indians

National Employment Law Project

National Federation of Independent Business

National Hockey League

New York Times Co.

Ohio Public Employees Retirement System

Pennsylvania Bar Association

Seiko Epson Corp.

TSR Inc.

Tokio Marine Holdings

Twitter Inc.

U.S. Chamber of Commerce

VTB Bank

Willis Towers Watson PLC

World Economic Forum

XL Catlin

Zeughauser Group LLC

## GOVERNMENT AGENCIES

Animal and Plant Health Inspection Service

Army Corps of Engineers

Bureau of Citizenship and Immigration Services

Bureau of Indian Affairs

California Department of Justice

Cherokee Nation

Department of Commerce

Employee Benefits Security Administration

Equal Employment Opportunity Commission

European Commission

European Union

Executive Office for Immigration Review

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications Commission

Financial Conduct Authority

Fish and Wildlife Service

Florida House of Representatives

Food Safety and Inspection Service

Food and Drug Administration

Indian Health Service

Internal Revenue Service

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billion in general obligation bond debt be wiped out, arguing the bonds violated provisions in the Puerto Rican Constitution when they were issued a few years ago. [Read full article »](#)

## IMMIGRATION

### Citizenship Question Blocked From 2020 Census

A New York federal judge on Tuesday struck down the Trump administration's inclusion of a question about citizenship status on the 2020 census, finding that U.S. Commerce Secretary Wilbur Ross had violated the Administrative Procedure Act in ignoring how it would harm response rates for Hispanic and noncitizen households. [Read full article »](#)

### No Shutdown Pause In Child Refugee Detention Policy Fight

A Manhattan federal judge on Tuesday ordered the Trump administration to proceed with two proposed class actions claiming child refugees are being subjected to unreasonable custody delays, finding "good and sufficient reason" to order civil litigation technically sidelined by the partial government shutdown to stay on track. [Read full article »](#)

### Shutdown Causes 43K Canceled Immigration Court Hearings

Nearly 43,000 immigration court hearings have been canceled since the federal government shut down in late December, according to new data from Syracuse University, wreaking havoc on the already overstuffed immigration courts and opening up individuals with valid immigration claims to yearslong delays. [Read full article »](#)

## NATIVE AMERICAN

### States Urge 5th Circ. To Reverse ICWA Invalidation Order

California, Massachusetts, Illinois and New Jersey have joined over a dozen states that are throwing support behind four tribes and the federal government as they seek to overturn a decision deeming the Indian Child Welfare Act unconstitutional, arguing that the statute provides critical protections for Native American children and their families. [Read full article »](#)

### Shutdown Draining Tribes, National Parks, Dem Panel Told

A Democratic committee heard testimony Tuesday about the ongoing federal shutdown, with House Democrats blaming President Donald Trump for the shutdown and hearing testimony detailing the shutdown's worsening impact on Native Americans and public lands. [Read full article »](#)

## TELECOMMUNICATIONS

### FCC Member Urges Incentive Auction For Education Spectrum

A Democratic member of the Federal Communications Commission made a case Tuesday for consolidating and auctioning off dormant spectrum licenses held by educational institutions, saying the revenue generated by a sale could fund projects to increase broadband access in students' schools and homes. [Read full article »](#)

### 1st Amendment Protects NY Public Access TV, Justices Told

The U.S. Supreme Court should stand behind a Second Circuit ruling classifying public access television networks as state actors who should be held accountable for upholding First Amendment rights, the documentarian whose firing prompted the litigation that resulted in the ruling said. [Read full article »](#)

## WHITE COLLAR

### Prosecutors Give Peek At Evidence Of Manafort's Alleged Lies

[International Trade Commission](#)  
[Morongo Band of Mission Indians](#)  
[National Archives and Records Administration](#)  
[National Park Service](#)  
[New York Attorney General's Office](#)  
[New York State Department of Financial Services](#)  
[Office of Foreign Assets Control](#)  
[Pennsylvania Department of Revenue](#)  
[Pueblo of Laguna of New Mexico](#)  
[Quinault Indian Nation](#)  
[Securities and Exchange Commission](#)  
[Shawnee Tribe](#)  
[Small Business Administration](#)  
[U.S. Army](#)  
[U.S. Attorney's Office](#)  
[U.S. Census Bureau](#)  
[U.S. Customs and Border Protection](#)  
[U.S. Department of Agriculture](#)  
[U.S. Department of Health and Human Services](#)  
[U.S. Department of Homeland Security](#)  
[U.S. Department of Justice](#)  
[U.S. Department of Labor](#)  
[U.S. Department of State](#)  
[U.S. Department of the Interior](#)  
[U.S. Department of the Treasury](#)  
[U.S. Environmental Protection Agency](#)  
[U.S. General Services Administration](#)  
[U.S. House of Representatives](#)  
[U.S. Senate](#)  
[U.S. Supreme Court](#)  
[United Nations](#)  
[Vermont Natural Resources Agency](#)

Prosecutors working for special counsel Robert Mueller made public a heavily redacted filing Tuesday laying out evidence that former Donald Trump presidential campaign chairman Paul Manafort lied to federal investigators in violation of an agreement last year in which Manafort pled guilty to obstructing Mueller's investigation into Russian election interference. [Read full article »](#)

## PEOPLE

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### Wagner Law Group Grows DC Office With Ex-DOL Atty

The Wagner Law Group, a primarily East Coast-based law firm that specializes in employee benefits law, has hired a longtime U.S. Department of Labor official to serve as of counsel in its Washington, D.C., office, adding an attorney with more than 30 years of experience working with the Employee Retirement Income Security Act to its staff, the firm has announced. [Read full article »](#)

### Florida's GrayRobinson Picks Up DC Lobbying Firm

GrayRobinson PA is acquiring Washington, D.C.-based lobbying firm Eris Group LLC, extending the Florida firm's lobbying capabilities beyond the state and helping it serve clients at a federal level, the firm announced Tuesday. [Read full article »](#)

## EXPERT ANALYSIS

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### Grand Jury Secrecy And The Release Of The Mueller Report

As the Senate Judiciary Committee questions attorney general nominee William Barr on Special Counsel Robert Mueller's investigation, former federal prosecutor John Fleder examines whether grand jury secrecy will permit the attorney general to submit parts, or all, of the highly anticipated Mueller report to Congress and/or the public. [Read full article »](#)

### What To Expect In Environmental Law In 2019

From a business perspective, the environmental law developments that are likely to have the most immediate domestic consequences in the coming year are air- and water-related litigation and regulations, say attorneys with Reed Smith LLP. [Read full article »](#)

#### Opinion

### Eyeballs Are Better Than Border Walls

My rough calculations suggest "extreme vetting" of U.S. visa applicants could be as good as building a wall, and the human and economic costs would be much less, says Stephen Pazan, special counsel at Barket Epstein Kearon Aldea and LoTurco LLP and a former consular officer with the U.S. Department of State. [Read full article »](#)

### Transparency Versus Confidentiality In 2019 Tax Disputes

The growing tension between government promises of transparency and taxpayers' right to confidentiality is likely to continue this year, as highlighted by two recent developments in Pennsylvania and California, say Tim Gustafson and Mike Le of Pillsbury Winthrop Shaw Pittman LLP. [Read full article »](#)

### 2019 Annual Meeting And Reporting Considerations: Part 2

In this installment of their four-part series, attorneys at Skadden Arps Slate Meagher & Flom LLP offer insights to companies on executive compensation matters for 2019 — including pay ratio and hedging disclosures, say-on-pay votes and changes in pay practices due to the Tax Cuts and Jobs Act. [Read full article »](#)

### Why AFAs Are Key To The Future Of Legal Practice

Alternative fee agreements can help align law firm and client interests, increase efficiency and eliminate corporate extortion, among other benefits. They are the best thing to happen to the practice of law in decades, says Kelly Eisenlohr-Moul at Dinsmore & Shohl LLP. [Read full article »](#)



## LEGAL INDUSTRY

### Boston Ripe With Opportunities For Firm Growth

About one in three small and midsize firms in Boston are open to a combination with another firm, according to a survey of law firm leaders released Tuesday, as the city continues to be a locus of growth for firms aiming to develop their presence in the market. [Read full article »](#)

### Blank Rome Can Arbitrate Ex-Dickstein Partners' \$4M Suit

A Los Angeles judge told a group of former Dickstein Shapiro LLP partners Tuesday they must arbitrate claims that Blank Rome LLP mischaracterized its hire of more than 100 lawyers from the now-defunct Dickstein as an asset sale, rather than a merger, to avoid paying the former partners \$4 million. [Read full article »](#)

### Quinn Emanuel Partner Dies After Lung Cancer Battle

Quinn Emanuel Urquhart & Sullivan LLP partner Steve Anderson, a founding member of the firm's patent practice, has died after a 15-year battle with lung cancer, the firm has announced. [Read full article »](#)

### Firms Turn To Creative Benefits To Attract Legal Talent

In-house and law firm lawyers are increasingly looking for nontraditional perks such as flexible work arrangements and paid meals in addition to six-figure salaries and hefty bonuses, according to a report released Tuesday. [Read full article »](#)

### Legal Tech Download: PE Investments, Acquisitions, AI

The world of legal technology is evolving quickly, with new products coming to market in rapid succession. Here, Law360 takes a look at six recent developments. [Read full article »](#)

## JOBS

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### Pro Bono Fellowship for the City of Newark, NJ

McCarter & English, LLP  
Newark, New Jersey

### SENIOR DEPUTY GENERAL COUNSEL

Metropolitan Water District  
Los Angeles, California

## LAW FIRMS

Akin Gump  
Blank Rome  
Gibson Dunn  
Kirkland & Ellis  
Arnold & Porter  
Barket Epstein  
Bernstein Shur  
Brown Rudnick  
Casillas Santiago  
Cozen O'Connor  
Dickstein Shapiro  
Dinsmore & Shohl  
Epstein Becker Green  
Estrella LLC  
Fenwick & West  
Foley Hoag  
Freeman Mathis  
Goulston & Storrs  
GrayRobinson

Greenberg Traurig  
Herbert Smith Freehills  
Hunton Andrews Kurth  
Hyman Phelps  
Ifrah Law  
Jacobson Burton  
Jones Day  
Kabateck LLP  
Kilpatrick Townsend  
Klein Moynihan  
Latham & Watkins  
LeClairRyan  
Littler Mendelson  
Mayer Brown  
McDermott Will  
Murphy & King  
Ogletree Deakins  
Orrick Herrington  
Paul Hastings  
Pierce Bainbridge  
Pillsbury Winthrop  
Quinn Emanuel  
Reed Smith  
Ropes & Gray  
Skadden  
Steptoe & Johnson LLP  
Wagner Law Group APC

#### COMPANIES

Twitter Inc.  
Major League Baseball Inc.  
New York Times Co.  
Air Transport Association of America  
Allina Health System Inc.  
American Bar Association  
American Civil Liberties Union  
American International Group Inc.  
Aon Corporation  
Aspen Insurance Holdings Limited  
Cable News Network Inc.  
Center for Justice  
Citigroup Inc.  
Dow Jones & Co.  
Elevate Services Inc.  
Eris Group LLC  
Ferrari SpA  
Garretson Resolution Group  
Google Inc.  
Home Depot Inc.  
Institutional Shareholder Services Inc.  
Intel Corp.

International Underwriting Association of London Ltd.  
Investors Bancorp Inc.  
Jardine Lloyd Thompson Group PLC  
KPMG International  
Lambda Legal Defense & Educational Fund  
Lloyd's Market Association  
MS Amlin PLC  
Mexican American Legal Defense and Education Fund  
Minor League Baseball  
Mylan NV  
NASDAQ OMX Group Inc.  
NFL Enterprises LLC  
National Basketball Association  
National Collegiate Athletic Association  
National Congress of American Indians  
National Employment Law Project  
National Federation of Independent Business  
National Hockey League  
Ohio Public Employees Retirement System  
Pennsylvania Bar Association  
Seiko Epson Corp.  
TSR Inc.  
Tokio Marine Holdings  
U.S. Chamber of Commerce  
VTB Bank  
Willis Towers Watson PLC  
World Economic Forum  
XL Catlin  
Zeughauser Group LLC

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
U.S. Department of the Treasury  
Equal Employment Opportunity Commission  
Federal Bureau of Investigation  
Internal Revenue Service  
U.S. Department of Health and Human Services  
Department of Commerce  
Federal Communications Commission  
U.S. Department of Agriculture  
U.S. Department of Labor  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Senate  
Animal and Plant Health Inspection Service  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
California Department of Justice  
Cherokee Nation



Employee Benefits Security Administration  
European Commission  
European Union  
Executive Office for Immigration Review  
Federal Aviation Administration  
Financial Conduct Authority  
Fish and Wildlife Service  
Florida House of Representatives  
Food Safety and Inspection Service  
Food and Drug Administration  
Indian Health Service  
International Trade Commission  
Morongo Band of Mission Indians  
National Archives and Records Administration  
National Park Service  
New York Attorney General's Office  
New York State Department of Financial Services  
Office of Foreign Assets Control  
Pennsylvania Department of Revenue  
Pueblo of Laguna of New Mexico  
Quinault Indian Nation  
Securities and Exchange Commission  
Shawnee Tribe  
Small Business Administration  
U.S. Army  
U.S. Attorney's Office  
U.S. Census Bureau  
U.S. Customs and Border Protection  
U.S. Department of Homeland Security  
U.S. Department of State  
U.S. Department of the Interior  
U.S. General Services Administration  
United Nations  
Vermont Natural Resources Agency

## **JOBS**

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### **Pro Bono Fellowship for the City of Newark, NJ**

McCarter & English, LLP  
Newark, New Jersey

### **SENIOR DEPUTY GENERAL COUNSEL**

Metropolitan Water District  
Los Angeles, California

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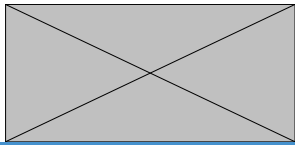
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**Subject:** [Marketing Mail] Meet Trump's 10 Picks For The Federal Bench



**PUBLIC POLICY.**

## Get the Scoop on How Antitrust Laws Really Work in China

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**Tuesday, May 9, 2017**

### TOP NEWS

#### Analysis

#### **Meet Trump's 10 Picks For The Federal Bench**

With a successful U.S. Supreme Court confirmation in his rearview mirror and dozens of empty federal court seats ahead, U.S. President Donald Trump made his first major move Monday toward remaking the judiciary with conservative jurists. Here, Law360 looks at the president's 10 federal court nominees. [Read more »](#)

#### **Yates Warned White House Flynn Could Be 'Blackmailed'**

Former acting Attorney General Sally Yates warned the White House as early as Jan. 26 that ex-National Security Advisor Michael Flynn could "essentially be blackmailed" for lying about his contact with a Russian official, the longtime Department of Justice lawyer testified Monday, reviving scrutiny about why President Donald Trump waited until mid-February to fire the high-ranking official. [Read more »](#)

#### **Trump Has First Service Secretary As Senate OKs USAF Pick**

Heather Wilson will soon take the controls of the U.S. Air Force after the Senate confirmed her as secretary Monday, the first service secretary confirmed under President Donald Trump. [Read more »](#)

#### **Yates Defends Stance On Immigration Ban That Got Her Fired**

Former acting Attorney General Sally Yates on Monday defended her decision to defy President Donald Trump over his immigration ban in an unusually public standoff in late January that led to her firing, suggesting at a Senate hearing that Trump's campaign rhetoric targeting Muslims rendered the executive order unconstitutional. [Read more »](#)

#### Analysis

#### **EPA, DOI Join Congress' Push To Overhaul Science Panels**

The U.S. Environmental Protection Agency and Department of the Interior said Monday they intend to shake up some science advisory panels with an eye toward bringing in new blood, a move that's in line with congressional Republicans' recent efforts to change how federal regulators use science to make rules. [Read more »](#)

#### **Trump Picks Pa. Regulator, McConnell Aide For FERC Slots**

President Donald Trump tapped the chief of the national association of state utility regulators and the U.S. Senate majority leader's energy policy pointman on Monday night to fill commissioner vacancies on the currently quorumless Federal Energy

### LAW FIRMS

Kim Gilbert  
Arnold & Porter Kaye Scholer  
Baker Botts  
BakerHostetler  
Baron & Budd  
Bergeson & Campbell  
Bingham Greenebaum  
Boardman & Clark  
Bradley Arant  
Carothers DiSante  
Clifford Chance  
Cooley  
Cotchett Pitre  
Covington & Burling  
DLA Piper  
Davis Polk  
Debevoise & Plimpton  
Dentons  
Dewey & LeBoeuf  
DiCello Levitt  
Farella Braun  
Fletcher Heald  
Fox Rothschild  
Fried Frank  
Genova Burns  
Gibson Dunn  
Goldstein & Russell  
Goodwin  
Graham & Dunn  
Grant & Eisenhofer  
Greenberg Traurig  
Hogan Lovells  
Holland & Knight

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Regulatory Commission. [Read more »](#)

### Suit Says Trump EO Gives Churches Preferential Treatment

An atheist nonprofit has sued the Trump administration in Wisconsin federal court, accusing the president of giving churches unconstitutionally preferential tax treatment with his new executive order easing enforcement of a decades-old rule prohibiting overt political endorsements by religious groups. [Read more »](#)

### Trump Nominates 10 Judges In Move To Reshape Judiciary

President Donald Trump has started to expand his impact on the federal judiciary, announcing another 10 judicial nominees Monday to courts nationwide, including the Seventh and Eleventh circuits. [Read more »](#)

## BANKING & SECURITIES

### High Court Asked To Weigh In On Nevada Foreclosure Law

A Nevada-based property trust has asked the U.S. Supreme Court to review a Ninth Circuit decision invalidating a Nevada law that gives lien priority to homeowners associations seeking back dues in foreclosure, telling the high court that the ruling has left hundreds of foreclosure-related cases in legal limbo. [Read more »](#)

#### Analysis

### SEC Allowing Bigger Bets With Leveraged ETF Approval

The U.S. Securities and Exchange Commission surprised many last week by approving a quadruple-leveraged exchange-traded fund after years of misgivings about highly leveraged products, but experts said it could be the first of many as the agency warms up to often controversial innovation in investment products. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Feds Slam Denial Of Direct Appeal In Kids' Climate Suit

The federal government on Friday objected to an Oregon magistrate judge's recommendation to deny a request to certify questions for appellate review in a youth-driven suit that alleges the U.S. violated the Constitution by failing to protect future generations from climate change. [Read more »](#)

### Enviros Tell Rick Perry To Refocus DOE Market Study

Six environmental organizations wrote a letter to Secretary of Energy Rick Perry on Monday objecting to a study he requested on electricity markets and reliability, saying it was designed to be "dangerously biased" in favor of fossil fuel and traditional energy sources at the expense of renewables. [Read more »](#)

### DOI Asks Public To Weigh In On Monument Designations

The U.S. Department of the Interior said Friday that for the first time, the government will open a formal public comment period for national monument designations under the Antiquities Act, including a Utah monument backed by several Native American tribes and other monuments President Donald Trump wants reviewed. [Read more »](#)

### EPA Asks For Stay In Maine Water Quality Row

The U.S. Environmental Protection Agency on Friday asked a Maine federal judge for a 90-day stay in the state's suit challenging the EPA's tightening of its water quality standards for tribal waters, so it can review the policy. [Read more »](#)

## MEDIA & ENTERTAINMENT

### Sinclair Absorbs Tribune Media In \$3.9B Deal

Sinclair Broadcast Group Inc. has agreed to buy Tribune Media Co. for roughly \$3.9 billion, the companies said Monday, in a deal that creates a U.S. broadcasting giant

Hunton & Williams

Jones Day

K&L Gates

Kanji & Katzen

Kasowitz Benson

Kelly Remmel

Kirkland & Ellis

Latham & Watkins

McGuireWoods

Miller Nash

Morgan Lewis

Munger Tolles

O'Melveny & Myers

Pillsbury Winthrop

Proskauer Rose

Reed Smith

Seward & Kissel

Shumaker Loop

Sidley Austin

Snell & Wilmer

Stradley Ronon

Sullivan & Cromwell

Thomas & Libowitz

Troutman Sanders

Weil Gotshal

Wexler Wallace

Williams & Connolly

## COMPANIES

21st Century Fox Inc.

American Civil Liberties Union

American Legislative Exchange Council

Bright House Networks LLC

Center for Biological Diversity Inc.

Comcast Corporation

Deutsche Bank AG

FedEx Corporation

Federalist Society

Financial Industry Regulatory Authority Inc.

Food Network

Humana Inc.

Intercontinental Exchange Inc.

JPMorgan Chase & Co.

Lockheed Martin

Marvell Technology Group, Ltd.

MasterCard Incorporated

Mercury Public Affairs

Mexican American Legal Defense and Education Fund

Moelis & Co.

and will potentially require divestitures in order to pass regulatory muster. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### DC Circ. Pumps Brakes On Heavy Duty Truck Rule Litigation

The D.C. Circuit on Monday granted a bid by the U.S. Environmental Protection Agency and the National Highway Traffic Safety Administration to pause challenges to greenhouse gas and fuel efficiency standards for new large and heavy-duty vehicles for 90 days. [Read more »](#)

## EMPLOYMENT

### Christie Guts Police, Firefighters' Pension Bill

New Jersey Gov. Chris Christie on Monday gutted a bipartisan bill that would have established a membership-based trustee board to manage the police and firefighters public pension fund, arguing in a conditional veto that the measure undermines the taxpayer-friendly pension reforms he enacted that riled unions. [Read more »](#)

### 2 More Ex-NJ College Staffers Sue Over Retaliatory Firings

Another pair of former staff members at Essex County College in New Jersey have asserted whistleblower claims against the school in state court lawsuits alleging they were fired last year for helping to produce a report into unlawful conduct related to the college's finances. [Read more »](#)

## GOVERNMENT CONTRACTS

### NJ Housing Official Admits Using HUD Funds On Gift Cards

The head of the Ocean City Housing Authority admitted Monday in New Jersey federal court to using U.S. Department of Housing and Urban Development funds to cover the purchase of dozens of MasterCard gift cards she used for personal expenses or provided to family and friends, acting U.S. Attorney William E. Fitzpatrick announced. [Read more »](#)

## INTERNATIONAL TRADE

### US Cautions Canada Against Retaliatory Coal Tariffs

Commerce Secretary Wilbur Ross on Saturday urged Canada to refrain from imposing politically motivated tariffs on U.S. products in response to new duties on softwood lumber just a day after Prime Minister Justin Trudeau revealed he was considering a crackdown on U.S. coal. [Read more »](#)

### Crabbers Allowed To Join Suit Over Seafood Origin Rule

A D.C. federal judge on Monday allowed Alaska-based crab harvesters to intervene as defendants in a suit challenging a regulation that requires importers to trace the origin of seafood brought into the U.S., saying the harvesters' economic interest in the rule may not completely align with government efforts to defend it. [Read more »](#)

## TAX

### Sen. Tester Blasts Federal Online Sales Tax Bill

Sen. Jon Tester, D-Mont., sent a letter Friday urging President Donald Trump and Senate leadership to oppose a bill that would allow states to enforce sales taxes on online sales in order to purportedly level the playing field for brick-and-mortar stores, calling it an expensive regulatory burden that would hurt online businesses in his state. [Read more »](#)

Morgan Stanley  
NVIDIA Corporation  
National Association of Broadcasters  
National Association of Manufacturers  
National Association of State Regulatory Utility Commissioners  
National Immigration Law Center  
National Rural Electric Cooperative Association  
New York Times Co.  
Pacific Legal Foundation  
Philip Morris USA Inc.  
Royal Bank of Canada  
S.A.C. Capital Advisors LP  
Sinclair Broadcast Group, Inc.  
T-Mobile USA Inc.  
The Blackstone Group L.P.  
The Boeing Company  
The Cato Corporation  
Time Warner Cable  
Tribune Media Co.  
Turner Broadcasting System Inc.  
Twitter Inc.  
Union of Concerned Scientists  
Verizon Communications  
Vodafone Group plc  
Volkswagen  
Washington Post Co.  
Wells Fargo & Co.

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
California Environmental Protection Agency  
Central Intelligence Agency  
Colorado Public Utilities Commission  
Defense Intelligence Agency  
Department of Commerce  
Executive Office of the President  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Food and Drug Administration  
Hopi Tribe  
Internal Revenue Service

CLV000740

## OECD Launches Tool To Report Loopholes In Int'l Tax Accord

The Organisation for Economic Co-operation and Development on Friday launched a facility for reporting avoidance schemes to get around the Common Reporting Standard for tax information signed by more than 60 international jurisdictions. [Read more »](#)

## Ex-Rep. Using Twitter To Harass Witness, Gov't Says

Former U.S. Representative Melvin Reynolds is using Twitter to harass a government witness and his attorney, prosecutors told the Illinois federal judge overseeing their misdemeanor tax case against the former politician on Monday. [Read more »](#)

## IMMIGRATION

### 4th Circ. Hears Oral Arguments In Travel Ban Appeal

The Fourth Circuit on Monday heard oral arguments in an appeal over President Donald Trump's travel ban, with some of the judges on the en banc panel grilling the government's attorney on the president's past statements, and others quizzing the plaintiffs attorney on issues of standing and national security. [Read more »](#)

### Texas Sues Local Pols To Enforce Sanctuary Cities Ban

The ink had barely dried on Texas Gov. Greg Abbott's signature on a law banning sanctuary cities in the Lone Star State on Monday when the state attorney general lodged a preemptive suit against Austin and Travis County leadership and law enforcement over their refusal to enforce federal immigration laws. [Read more »](#)

### Chinese Christian Urges High Court To Review Persecution

A shoe factory worker who fled China after being arrested for attending illegal Christian house-church gatherings has asked the U.S. Supreme Court to reconsider a Tenth Circuit decision that held his circumstances didn't amount to persecution. [Read more »](#)

## TELECOMMUNICATIONS

### FCC Commish Sees Chance To 'Clean Up' Universal Service

Republican Federal Communications Commissioner Michael O'Rielly said that he sees the departure of the CEO of the company responsible for administering the FCC's Universal Service Fund that promotes digital access as a chance for the administrator to "clean up its act." [Read more »](#)

### HBO's John Oliver Blasts FCC Open Internet Rollback Plans

Late-night host John Oliver in a Sunday segment took to task the Federal Communications Commission chairman's plan to undo the legal basis for net neutrality rules, calling for the public to "take this matter into our own hands" and file comments pushing back. [Read more »](#)

### Verizon Spectrum Grants Challenged At High Court

The U.S. Supreme Court should review whether the D.C. Circuit erred in letting the Federal Communications Commission off the hook after the agency ignored its own foreign ownership rules by approving mobile spectrum acquisitions made by Verizon Wireless that allowed an anti-competitive scheme to proceed, a regional telecom provider has argued. [Read more »](#)

### Writers Guild Knocks FCC Probe Of Colbert's Trump Joke

The Writers Guild of America on Monday criticized the Federal Communications Commission for its intention to investigate whether a joke by talk show host and Writers Guild member Stephen Colbert is obscene. [Read more »](#)

### T-Mobile CEO Lobbies FCC For Quick Auction Transition

## NAFTA

National Highway Traffic Safety Administration  
National Nuclear Security Administration  
National Security Council  
Navajo Nation  
Nevada Legislature  
Oak Ridge National Laboratory  
Pennsylvania Public Utility Commission  
Sandia National Laboratories  
Securities and Exchange Commission  
U.S. Air Force  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of Justice  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
U.S. Sentencing Commission  
U.S. Supreme Court  
Ute Indian Tribe  
Ute Mountain Ute Tribe



T-Mobile's president and CEO, John Legere, has pushed Federal Communications Commission Chairman Ajit Pai and Commissioners Mignon Clyburn and Michael O'Rielly to make way for the company to begin deploying on the spectrum it won in the airwaves auction. [Read more »](#)

## PEOPLE

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### **Shumaker Loop Launches Public Affairs Group In Florida**

Shumaker Loop & Kendrick LLP on Monday announced the launch of a public affairs group in Florida that will counsel both public- and private-sector clients on advocacy and issue management, in addition to providing governmental relations services. [Read more »](#)

### **Morgan Lewis Partner Shortlisted For Bharara Replacement**

President Donald Trump's administration is considering nominating Morgan Lewis & Bockius LLP partner David I. Miller to be the next U.S. attorney for the Southern District of New York, sources said Monday, as the process for replacing Preet Bharara is appearing to heat up. [Read more »](#)

### **DLA Piper Adds Sidley Austin Partner To IP Subgroup**

DLA Piper has added a former Sidley Austin LLP partner to its Washington, D.C., and Atlanta offices, the firm announced, deepening its intellectual property offerings particularly in the privacy and security aspects of health information. [Read more »](#)

## EXPERT ANALYSIS

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### **In Trump Era, States Take Lead On Social Cost Of Carbon**

The social cost of carbon is a measure intended to quantify the effect that a single ton of carbon dioxide emissions has on climate change. Even as the Trump administration has disbanded the federal interagency working group on this issue, the states have been stepping up their efforts, say Seth Belzley and Stephen Humes of Holland & Knight LLP. [Read more »](#)

### **Making H-1B Administrative Changes: Easier Said Than Done**

Language in the recent "Buy American, Hire American" executive order suggests that an expansion of visas is not the administration's preference for H-1B reform. Instead it prefers addressing visa shortages by changing how they are allocated. Therefore, the natural question any lawyer would ask is whether the goal of allocating visas based on wage or skill level can be accomplished administratively, says Leon Fresco of Holland & Knight LLP. [Read more »](#)

### **Stability For Calif. Cap-And-Trade Program, For Now**

Thanks to a California appellate court's recent decision in California Chamber of Commerce v. State Air Resources Board, the future of California's cap-and-trade program looks a little brighter. The opinion provides at least temporary stability to a key portion of the California Global Warming Solutions Act of 2006, say Robert Hines and Ashley Breakfield of Farella Braun & Martel LLP. [Read more »](#)

### **Arizona's Off-Label Promotion Law May Hinge On Gottlieb**

As the U.S. Food and Drug Administration sought feedback on whether drug and device makers should be allowed to promote their products for off-label uses, Arizona recently passed a law allowing truthful off-label promotion. But the law's impact may depend on whether Scott Gottlieb is confirmed as FDA commissioner, says Alexis Kellert of Weil Gotshal & Manges LLP. [Read more »](#)

### **6 Calif. Employment Bills Employers Should Track**

The California Legislature recently introduced a number of employment-related bills, most of which increase protection for employees and consequently provide more exposure to lawsuits for employers. Employers should expect little relief from Democratic Party leaders and should proactively guard against what's to come, say

Dave Carothers and Karimah Lamar of Carothers DiSante & Freudenberger LLP.  
[Read more »](#)

## LEGAL INDUSTRY

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### Streamlining Salvages Dewey Case On Second Try

After their first try ended in a mistrial, prosecutors from the Manhattan district attorney's office trimmed the fat and the key defendant from their controversial retrial of the former leadership of Dewey & LeBoeuf LLP — and that decision netted a modest victory five years in the making Monday when jurors convicted the defunct firm's former chief financial officer on felony fraud charges. [Read more »](#)

### Weary Dewey Jurors Say Case Against Sanders Far Clearer

After deliberating for five days at the end of the lengthy retrial of two former executives at Dewey & LeBoeuf LLP, multiple jurors said Monday they felt New York state prosecutors had done a far better job proving their case against Joel Sanders, whose name one noted "was on everything," than they had against Stephen DiCarmine. [Read more »](#)

### Jury Convicts Ex-Dewey CFO, Frees Exec Director

A Manhattan jury on Monday issued a split verdict in the long-running criminal case against top executives of Dewey & LeBoeuf LLP, acquitting the defunct law firm's executive director but convicting its former chief financial officer on fraud and conspiracy charges. [Read more »](#)

### Reed Smith Unveils Programs For New Parents

Reed Smith LLP rolled out new benefits aimed at employees returning from maternity leave, joining a trend among large law firms seeking to retain lawyers who've recently had children by easing the transition back to the BigLaw grind. [Read more »](#)

### Plaintiffs Attys In Chicago, Cleveland Team Up For New Firm

Former Grant & Eisenhofer PA director Adam Levitt teamed up with members of The DiCello Law Firm to launch DiCello, Levitt & Casey LLC, a new legal venture specializing in plaintiff advocacy in a broad array of legal practice areas, the firm announced Monday. [Read more »](#)

### Plaintiffs Bar Perspective: Baron & Budd's Todd Kale

Young lawyers need to understand that you most likely will not get rich serving as a plaintiffs attorney. It's not like you see on TV — this isn't an episode of "Suits," says Todd Kale of Baron & Budd PC. [Read more »](#)

## JOBS

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BakerHostetler  
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Cotchett Pitre  
DLA Piper  
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Debevoise & Plimpton  
Dentons  
DiCello Levitt  
Farella Braun  
Fletcher Heald  
Fox Rothschild  
Fried Frank  
Genova Burns  
Gibson Dunn  
Goldstein & Russell  
Goodwin  
Graham & Dunn  
Grant & Eisenhofer  
Hunton & Williams  
Jones Day  
K&L Gates  
Kanji & Katzen  
Kasowitz Benson  
Kelly Remmel  
Kirkland & Ellis  
Latham & Watkins  
McGuireWoods  
Miller Nash  
Morgan Lewis  
Munger Tolles  
O'Melveny & Myers  
Proskauer Rose  
Reed Smith  
Shumaker Loop  
Snell & Wilmer  
Stradley Ronon  
Thomas & Libowitz  
Troutman Sanders  
Weil Gotshal  
Wexler Wallace  
Williams & Connolly

#### COMPANIES

American Civil Liberties Union

CLV000744

Center for Biological Diversity Inc.  
Federalist Society  
Pacific Legal Foundation  
21st Century Fox Inc.  
American Legislative Exchange Council  
Bright House Networks LLC  
Comcast Corporation  
Deutsche Bank AG  
FedEx Corporation  
Financial Industry Regulatory Authority Inc.  
Food Network  
Humana Inc.  
Intercontinental Exchange Inc.  
JPMorgan Chase & Co.  
Lockheed Martin  
Marvell Technology Group, Ltd.  
MasterCard Incorporated  
Mercury Public Affairs  
Mexican American Legal Defense and Education Fund  
Moelis & Co.  
Morgan Stanley  
NVIDIA Corporation  
National Association of Broadcasters  
National Association of Manufacturers  
National Association of State Regulatory Utility Commissioners  
National Immigration Law Center  
National Rural Electric Cooperative Association  
New York Times Co.  
Philip Morris USA Inc.  
Royal Bank of Canada  
S.A.C. Capital Advisors LP  
Sinclair Broadcast Group, Inc.  
T-Mobile USA Inc.  
The Blackstone Group L.P.  
The Boeing Company  
The Cato Corporation  
Time Warner Cable  
Tribune Media Co.  
Turner Broadcasting System Inc.  
Twitter Inc.  
Union of Concerned Scientists  
Verizon Communications  
Vodafone Group plc  
Volkswagen  
Washington Post Co.  
Wells Fargo & Co.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Federal Communications Commission

U.S. Environmental Protection Agency  
U.S. Department of Energy  
Department of Commerce  
Executive Office of the President  
Internal Revenue Service  
National Highway Traffic Safety Administration  
Securities and Exchange Commission  
U.S. Department of the Interior  
U.S. Sentencing Commission  
Bureau of Citizenship and Immigration Services  
California Environmental Protection Agency  
Central Intelligence Agency  
Colorado Public Utilities Commission  
Defense Intelligence Agency  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Food and Drug Administration  
Hopi Tribe  
NAFTA  
National Nuclear Security Administration  
National Security Council  
Navajo Nation  
Nevada Legislature  
Oak Ridge National Laboratory  
Pennsylvania Public Utility Commission  
Sandia National Laboratories  
U.S. Air Force  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
Ute Indian Tribe  
Ute Mountain Ute Tribe

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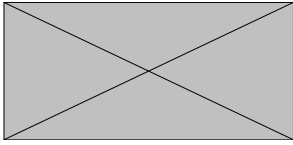
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 1/17/2019 9:42:20 AM  
**Subject:** Trump Nominates Jackson Walker, Greenberg Vets To Bench



PUBLIC POLICY.

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Thursday, January 17, 2019

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## TOP NEWS

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### Trump Nominates Jackson Walker, Greenberg Vets To Bench

President Donald Trump named Greenberg Traurig LLP and Jackson Walker LLP attorneys among his latest batch of judicial nominees Wednesday, with this round aimed at filling seats in Arizona, Louisiana, North Dakota and Texas. [Read full article »](#)

### Trump Signs Bill Promising Back Pay To Furloughed Workers

President Donald Trump signed a bill Wednesday to give furloughed federal workers back pay after the end of the partial government shutdown, which, as of his signing, was in its 26th day — the longest in U.S. history. [Read full article »](#)

### Latest Shutdown-Ending Deal Spinning Out At Starting Line

Key Republicans have so far shied away from signing onto the latest effort to end a showdown over President Donald Trump's demand for \$5.7 billion in funding for a Mexican border wall, in the form of a letter calling for a brief funding reprieve to negotiate a compromise. [Read full article »](#)

### GSA Ignored Constitution In Trump Hotel Analysis: OIG

The U.S. General Services Administration wrongly failed to consider potential constitutional violations when it looked into a possible breach of the lease for the federal building in Washington, D.C., that is now the Trump International Hotel, resulting in continued uncertainty over the lease, a GSA watchdog said Wednesday. [Read full article »](#)

#### Analysis

### Barr Shows He Is Mostly In Tune With DOJ Antitrust

Big isn't necessarily bad, William Barr told lawmakers Tuesday in one of several areas where the attorney general nominee largely aligned with the existing views of the U.S. Department of Justice's Antitrust Division, absent a Time Warner-sized hole. [Read full article »](#)

### Republicans Shower AG Pick With Praise After Hearing

At the end of William Barr's confirmation hearing for U.S. attorney general Wednesday, the Republicans who control advancing his nomination had glowing reviews for his performance, signaling a smooth path to confirmation amid Democratic grumblings about his views on the special counsel's investigation. [Read full article »](#)

### Justices Weigh 21st Amendment's Scope In Wine Sales Case

On Wednesday, 100 years to the day after the United States ratified a constitutional amendment making alcohol sales illegal, the U.S. Supreme Court heard arguments in a referendum on the scope of the amendment that made it legal once more and gave individual states broad discretion to regulate the industry. [Read full article »](#)

## BANKING & SECURITIES

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Baker Botts  
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BakerHostetler  
Ballard Spahr  
Barnhouse Keegan  
Beck Redden  
Becker & Poliakoff  
Casillas Santiago  
Cooper & Kirk  
Einhorn Harris  
FisherBroyles  
Fleming Nolen  
FordHarrison  
Gibson Dunn  
Goldstein & Russell  
Greenberg Traurig  
Hogan Lovells  
Hunton Andrews Kurth  
Jackson Walker  
Jenner & Block  
Jones Day  
K&L Gates  
Kay Griffin  
Kilpatrick Townsend  
King & Spalding  
Kirkland & Ellis  
Klee Tuchin  
Littler Mendelson  
Lowenstein Sandler  
McDermott Will  
Morgan Lewis  
O'Melveny & Myers

CLV000747

## FHFA Won't Defend Leadership Structure Before Full 5th Circ.

The Federal Housing Finance Agency has told the full Fifth Circuit that it won't defend the constitutionality of the for-cause removal protection enjoyed by directors of the agency, a move that comes about a week before the court will sit for en banc rehearing in the case. [Read full article »](#)

## OCC Chief Hopes To Work With Rep. Waters On CRA, Fintech

The Office of the Comptroller of the Currency's top official said Wednesday he's "excited" the Community Reinvestment Act and fintech policy are key issues for Rep. Maxine Waters, the new Democratic chair of the House Financial Services Committee, and doesn't expect his agency's work to be affected by the committee's tilt to the left. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

### Analysis

## PG&E's Ch. 11 Is Climate Change Wake-Up Call For Utilities

Pacific Gas & Electric Co.'s plan to seek bankruptcy protection to address crippling liabilities for California wildfires should ring alarm bells for utilities, regulators and lawmakers in other states and force them to examine whether the current utility business model can accommodate climate change-related risks to energy infrastructure, policy experts say. [Read full article »](#)

## Enviros Lose Fight Over BLM's Nevada Oil & Gas Lease Sale

A Nevada federal judge rejected claims brought by the Center for Biological Diversity and Sierra Club that the U.S. Bureau of Land Management did not conduct a thorough environmental review before offering oil and gas leases on nearly 200,000 acres of land. [Read full article »](#)

## Wheeler 'Almost As Extreme' As Former EPA Head, Dem Says

Senate Democrats harshly criticized acting U.S. Environmental Protection Agency chief Andrew Wheeler for his stances on climate change, auto emissions, mercury pollution standards and other issues at his confirmation hearing Wednesday, with one senator saying the positions "appear to be almost as extreme as his predecessor's." [Read full article »](#)

## Senate Dem Decries Shutdown Of Chemical Accident Probes

A tiny federal agency that investigates chemical spills and related incidents in the energy sector can't do its job during the government shutdown, putting crucial probes into the causes of industrial accidents at risk, Democratic Sen. Tim Kaine of Virginia said Wednesday. [Read full article »](#)

## Vistra Coal Plant Can't Dodge Enviros' Emissions Claims

An Illinois federal judge told a Vistra Energy Corp.-owned coal-fired power plant it should avoid "arguing around the edges" of his earlier finding that its emissions violated the Clean Air Act, but declined to immediately rule in favor of environmental groups looking to hold it accountable for recent violations. [Read full article »](#)

## HEALTH & LIFE SCIENCES

## Pa. Faces Suit Over Medicaid-Funded Abortion Ban

A group of women's health care providers has argued that a Pennsylvania statute largely banning Medicaid dollars from covering abortions should be struck down as a violation of equal protection rights under the state constitution. [Read full article »](#)

## Texas Sued Over Ending Home Health Care Reimbursement

A group of home health agencies has sued the Texas Health and Human Services Commission, alleging that without court intervention each will soon go out of business, and Texans will go without needed medical care, because of a recent decision by the state agency to discontinue reimbursement for telemonitoring services. [Read full article »](#)

O'Neill & Borges  
Paul Hastings  
Paul Weiss  
Pepper Hamilton  
Pietrantonio Mendez  
Polsinelli  
Proskauer Rose  
Quarles & Brady  
Quinn Emanuel  
Reichard & Escalera  
Robbins Russell  
Ropes & Gray  
Saul Ewing  
Schiff Hardin  
Sidley Austin  
Skadden  
Snell & Wilmer  
Steptoe & Johnson LLP  
Stoel Rives  
Sullivan & Cromwell  
Troutman Sanders  
Vogel Law Firm  
Warshaw Burstein  
Wiley Rein  
Willkie Farr  
WilmerHale  
Zuckerman Spaeder

### COMPANIES

AT&T Inc.  
Aegerion Pharmaceuticals Inc.  
American Arbitration Association  
American Bar Association  
American Chemical Society Inc.  
American Civil Liberties Union  
American College of Trial Lawyers  
Avis Budget Group Inc.  
Berkadia Commercial Mortgage LLC  
BlackRock Inc.  
C.H. Robinson Worldwide Inc.  
Cable News Network Inc.  
California State Teachers Employees' Retirement System  
Casey Family Programs  
Center for American Progress  
Center for Biological Diversity  
Circuit City Stores Inc.  
Clayton Homes Inc.  
Comerica Inc.  
Convergys Corp.  
DHL International GmbH

»

## MEDIA & ENTERTAINMENT

### Gaming Cos. Get 90-Day Grace Period After Wire Act Changes

The Department of Justice has officially declared a 90-day grace period for online gambling businesses to comply with an abrupt change in its interpretation of the Wire Act, which bucked previous guidance and found that all non-sports interstate gambling runs afoul of the law. [Read full article »](#)

## REAL ESTATE

### Becker & Poliakoff Launches Opportunity Zone Practice

Becker & Poliakoff PA has launched a multidisciplinary opportunity zone practice to help clients navigate investing in the new low-income zones established by the 2017 tax reform law, the firm announced. [Read full article »](#)

## EMPLOYMENT

### Dems Float \$15 Federal Minimum Wage

Congressional Democrats on Wednesday unveiled a plan to raise the federal minimum wage to \$15 by 2024 while providing for subsequent increases tied to national wage growth and phasing out subminimum wages for youth and tipped workers and people with disabilities. [Read full article »](#)

## COMPETITION

### EU Top Court Reverses Watchdog's Block Of UPS-TNT Merger

Europe's highest court on Wednesday upheld a lower court order annulling the European Commission's decision to block United Parcel Service Inc.'s failed \$6.8 billion merger with Dutch delivery service TNT Express NV. [Read full article »](#)

## CYBERSECURITY & PRIVACY

### Analysis

### Ongoing Gov't Shutdown Leaves Cyber Risks Unchecked

The lingering government shutdown doesn't bode well for critical efforts to protect the nation from increasingly sophisticated cyberthreats, leaving gaping holes in agencies' ability to monitor threats, pursue bad actors and provide crucial aid to private companies, experts say. [Read full article »](#)

### Rubio Proposes Privacy Bill That Overrides State Data Laws

Sen. Marco Rubio, R-Fla., on Wednesday introduced a national data privacy bill that would give Congress, not the Federal Trade Commission, the ability to write federal privacy rules — and which would override stringent state regulations. [Read full article »](#)

## PERSONAL INJURY

### Sen. Wants USOC Under Microscope Amid Abuse Scandals

Sen. Cory Gardner (R-Colo.) introduced a bill Wednesday to create a congressional commission that would examine the structure of the U.S. Olympic Committee amid a series of sexual abuse scandals, most notably the case of former Olympic gymnastics team doctor Larry Nassar, who is facing claims from hundreds of women. [Read full article »](#)

Deutsche Post  
Drexel University  
FCA US LLC  
Facebook  
Fannie Mae  
FedEx Corp.  
Freddie Mac  
Georgia State University  
Google Inc.  
Institutional Shareholder Services Inc.  
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International Centre for Dispute Resolution  
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Reed Elsevier  
Robert Half International Inc.  
Service Employees International Union  
Sierra Club  
Sinclair Broadcast Group, Inc.  
Spectrum Management Holding Co.  
Spencer Stuart Inc.  
State Street Global Advisors Inc.  
Stryker Corp.  
TNT Express  
The Hershey Company  
Total Wine & More  
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Trump Organization Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
United Auto Workers  
United Continental Holdings Inc.  
United Parcel Service Inc.  
United States Olympic Committee  
Vistra Energy Corp.

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## GOVERNMENT CONTRACTS

### Analysis

#### **NJ Apprenticeship Rule May Be Heavy Lift For Contractors**

New Jersey contractors may soon face tough choices if the governor signs a bill requiring apprenticeship programs for those working on government construction projects, yet some may be able to avoid its effects for a year or two, attorneys say.

[Read full article »](#)

#### **FCA Is Unconstitutional, Hospital Giant Tells Supreme Court**

Whistleblower provisions of the False Claims Act are unconstitutional because they deputize private citizens with powers afforded to government officers, hospital giant Intermountain Healthcare told the U.S. Supreme Court. [Read full article »](#)

#### **FCA Suit Alleging Retaliation Against Ex-Underwriter Tossed**

A Missouri federal court on Tuesday dismissed a False Claims Act suit against a commercial real estate lender company that is accused of terminating an underwriter who alerted the company to misrepresented Housing and Urban Development loan submissions, finding that the former employee's complaints played no part in the decision to fire him. [Read full article »](#)

## AEROSPACE & DEFENSE

### Analysis

#### **Relaxed Rules Offer Little Clarity On Expanded Drone Flights**

The Federal Aviation Administration's loosening of restrictions on certain drone flights won't spur more drones to take to the skies until regulators draft additional rules to track and identify unmanned aircraft, ensuring the regulatory landscape will remain murky as technology continues to outpace the legal landscape, experts say. [Read full article »](#)

## INTERNATIONAL TRADE

### Analysis

#### **Shutdown Figures To Tax An Already-Bustling USTR**

This week's furloughing of staffers at the Office of the U.S. Trade Representative comes at a particularly inconvenient time for the small agency, which former officials say is likely to face challenges as it lays the groundwork for new trade talks and looks to resolve a simmering trade battle with China. [Read full article »](#)

#### **Move To Block Russia Sanction Deal Dies In Senate**

The Treasury Department is free to relax U.S. sanctions on three companies tied to a Russian oligarch after Senate Democrats on Wednesday failed to pick up enough Republicans to oppose the move. [Read full article »](#)

## TAX

### Analysis

#### **Coaches' Pay Likely To Dodge New Tax Unless Congress Acts**

Action by Congress would be needed to subject public universities and their top sports coaches to a new excise tax on top earners at nonprofits after recent guidance confirmed the tax may not apply to some of those institutions. [Read full article »](#)

#### **Grassley Wants Leniency For 30 Million Underwithheld Filers**

Senate Finance Committee Chairman Chuck Grassley, R-Iowa, wants the Internal Revenue Service to be lenient on the 30 million Americans predicted to have underwithheld because of the 2017 tax overhaul, he said Wednesday. [Read full article »](#)

## GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Indian Affairs

Bureau of Land Management

Cherokee Nation

Consumer Financial Protection Bureau

Drug Enforcement Administration

Equal Employment Opportunity Commission

European Commission

European Union

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Housing Administration

Federal Housing Finance Agency

Federal Mediation and Conciliation Service

Federal Reserve System

Federal Trade Commission

General Services Administration

Office of Inspector General

Georgia General Assembly

Government Accountability Office

Interior Board of Indian Appeals

Internal Revenue Service

Joint Committee on Taxation

Morongo Band of Mission Indians

National Security Agency

National Telecommunications and Information Administration

New Jersey Supreme Court

North Dakota Legislature

Office of the Comptroller of the Currency

Office of the U.S. Trade Representative

Pennsylvania Department of Human Services

Pennsylvania Supreme Court

Quinault Indian Nation

Securities and Exchange Commission

Sisseton-Wahpeton Oyate

Spirit Lake Tribe

Standing Rock Sioux Tribe

Texas Health and Human Services Commission

Three Affiliated Tribes of the Fort Berthold Reservation

## BANKRUPTCY

### Puerto Rico Creditors Press For Sales Tax Plan Approval

Major stakeholders engulfed in Puerto Rico's bankruptcy-like proceedings urged a federal judge on Wednesday to approve a watershed settlement designed to restructure nearly \$18 billion in debt carried by the Puerto Rico Sales Tax Corp., or COFINA, saying it is the best way to avert years of protracted litigation. [Read full article »](#)

## IMMIGRATION

### Bill Roundup: H-2B Cap Relief, Heightened Asylum Standards

In the opening days of the new Congress, lawmakers introduced legislation tackling H-2B temporary non-agricultural visas, sanctuary city policies, asylum standards, and alternatives to immigration detention. Here, Law360 examines their proposals. [Read full article »](#)

### ACLU Opposes DHS Stay Request In Married Immigrants Suit

The American Civil Liberties Union of Massachusetts will oppose the government's shutdown-related motion to pause a proposed class action by immigrants fighting deportation orders for their noncitizen spouses after the U.S. Department of Homeland Security balked at an ACLU request to provide more information on potential removals. [Read full article »](#)

## NATIVE AMERICAN

### North Dakota Bill Seeks Framework For Tribal Tax Agreements

A bipartisan bill has been introduced in the North Dakota Legislature that would create a pathway for American Indian tribes in the state to introduce tobacco, alcohol and state gross receipts taxes for purchases made on reservations. [Read full article »](#)

### Tribes, Allies Say Constitution Backs Child Welfare Law

Four tribes, joined by members of Congress, Indian law professors and others, urged the Fifth Circuit on Wednesday to overturn a Texas district judge's decision ruling the Indian Child Welfare Act unconstitutional, saying the law doesn't racially discriminate and that the Constitution supports Congress' broad power to enact laws regulating tribal matters. [Read full article »](#)

### Pamunkey Tribe Eyes Commercial Casinos Via Va. Bills

The chief of the Pamunkey Indian tribe of Virginia has said new bills in the state Legislature would allow the tribe to take part in the race to build commercial casinos in the state, in a bid to keep the tribe from losing ground while it pursues the traditional tribal gambling track. [Read full article »](#)

## TELECOMMUNICATIONS

### Analysis

### Telecom Industry Wrestles With Best Rural Funding Plans

As the telecom industry considers better ways to fund rural broadband in 2019, serious questions are being raised about how great the demand for high-speed service is in rural areas and whether the FCC is placing the right emphasis on deployment in those markets. [Read full article »](#)

### Pa. Dem To Head Key House Communications Subcommittee

Rep. Mike Doyle, D-Pa., has been elected chairman of the House Energy and Commerce Committee's Subcommittee on Communications and Technology, which oversees the Federal Communications Commission and policy matters relating to spectrum use, Democrats announced Tuesday. [Read full article »](#)

Turtle Mountain Band of  
Chippewa Indians

U.S. Army

U.S. Attorney's Office

U.S. Chemical Safety and Hazard  
Investigation Board

U.S. Department of Education

U.S. Department of Homeland  
Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection  
Agency

U.S. General Services  
Administration

U.S. House Committee on Energy  
and Commerce

U.S. House of Representatives

U.S. Immigration and Customs  
Enforcement

U.S. Senate

U.S. Supreme Court

U.S. Tax Court

United States Court of Appeals for  
the Third Circuit

United States District Court for the  
Eastern District of Pennsylvania

Vermont Natural Resources  
Agency



## DC Circ. Urged Not To Halt Net Neutrality Args Over Shutdown

The Federal Communications Commission should not win a pause in the upcoming net neutrality oral arguments, trade group Incompas told the D.C. Circuit on Wednesday, saying the court allowed oral arguments to proceed during the last funding lapse and that the issue of proper web regulation must be resolved speedily. [Read full article »](#)

## PEOPLE

## King & Spalding Adds Gov't-Focused Partners In SF, DC

King & Spalding LLP is expanding its government-related practice groups with the addition this week of a former Georgia state legislator who recently helped screen judge candidates in filling vacancies on the bench, and a veteran U.S. Department of Justice prosecutor who sent corrupt judges to prison. [Read full article »](#)

## EXPERT ANALYSIS

## Arbitrators And Mediators Should Reflect Society's Diversity

Alternative dispute resolution providers have made great strides toward diversity, but recent statistics show there is still work to be done. There are certain steps ADR providers can take to actively recruit more women and minority candidates to serve as arbitrators and mediators, says James Jenkins of the American Arbitration Association. [Read full article »](#)

## Amendments To Procedure Rules Reflect Dynamic Tax Court

Recent revisions to the U.S. Tax Court procedural rules show the court embracing the digital age, refinements to existing rules and the addition of new areas of jurisdiction. Andrew Roberson and Kevin Spencer of McDermott Will & Emery LLP explain eight important amendments. [Read full article »](#)

## 2019 Annual Meeting And Reporting Considerations: Part 3

In the third installment of their four-part series, attorneys with Skadden Arps Slate Meagher & Flom LLP consider corporate governance best practices including environmental, social and governance reporting, updates to director and officer questionnaires, board diversity and related disclosures, and shareholder proposals. [Read full article »](#)

## LEXIS PRACTICE ADVISOR

## A Guide To Reducing Limitations Periods On Employee Claims

Employers generally benefit from drafting agreements that shorten statutes of limitations on employee claims. However, there are several considerations when assessing whether and how to trim the relevant period, say Ann-Elizabeth Ostrager and Courtney Hunter of Sullivan & Cromwell LLP. [Read full article »](#)

## LEGAL INDUSTRY

## Jenner & Block Taps Head Of Litigation As Firm Chair

Jenner & Block has appointed a 30-year veteran of the firm and the former head of its sizable litigation department as its new chair, the firm announced Wednesday. [Read full article »](#)

## Panasonic Avionics Hires New GC Following Corruption Probe

Panasonic Avionics Corp. has tapped Kimberly Chainey as general counsel after a turbulent, five-year-long government investigation and settlement over alleged corrupt practices relating to foreign government-owned airlines, the in-flight entertainment and communications company announced Tuesday. [Read full article »](#)

## For-Profit Ariz. Law School Drops ABA Suit Over Accreditation

A for-profit law school has settled its suit that alleged the American Bar Association's decision to pull the school's accreditation was "arbitrary and capricious." [Read full article »](#)

#### Interview

### Law Firm Leaders: Lowenstein Sandler's Gary Wingens

Lowenstein Sandler LLP chair and managing partner Gary Wingens tells Law360 about the firm's decadelong strategy of cultivating sector-specific expertise, its history of pro bono immigration work and the evolving role of technology in the practice of law. [Read full article »](#)

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#### **Pro Bono Fellowship for the City of Newark, NJ**

McCarter & English, LLP  
Newark, New Jersey

#### **SENIOR DEPUTY GENERAL COUNSEL**

Metropolitan Water District  
Los Angeles, California

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#### **LAW FIRMS**

Hogan Lovells  
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Littler Mendelson  
McDermott Will  
Paul Hastings  
Paul Weiss  
WilmerHale  
Akin Gump  
Arnold & Porter  
Baker Botts  
Baker McKenzie  
BakerHostetler  
Ballard Spahr  
Barnhouse Keegan  
Beck Redden  
Becker & Poliakoff  
Casillas Santiago  
Cooper & Kirk  
Einhorn Harris  
FisherBroyles  
Fleming Nolen  
FordHarrison  
Gibson Dunn  
Goldstein & Russell  
Greenberg Traurig  
Hunton Andrews Kurth  
Jackson Walker  
Jenner & Block  
Jones Day  
K&L Gates  
Kay Griffin  
Kilpatrick Townsend  
King & Spalding

Klee Tuchin  
Lowenstein Sandler  
O'Melveny & Myers  
O'Neill & Borges  
Pepper Hamilton  
Pietrantonio Mendez  
Polsinelli  
Proskauer Rose  
Quarles & Brady  
Quinn Emanuel  
Reichard & Escalera  
Robbins Russell  
Ropes & Gray  
Saul Ewing  
Schiff Hardin  
Sidley Austin  
Skadden  
Snell & Wilmer  
Steptoe & Johnson LLP  
Stoel Rives  
Sullivan & Cromwell  
Troutman Sanders  
Vogel Law Firm  
Warshaw Burstein  
Wiley Rein  
Willkie Farr  
Zuckerman Spaeder

#### COMPANIES

Facebook  
Google Inc.  
American Bar Association  
Service Employees International Union  
Sierra Club  
AT&T Inc.  
Aegerion Pharmaceuticals Inc.  
American Arbitration Association  
American Chemical Society Inc.  
American Civil Liberties Union  
American College of Trial Lawyers  
Avis Budget Group Inc.  
Berkadia Commercial Mortgage LLC  
BlackRock Inc.  
C.H. Robinson Worldwide Inc.  
Cable News Network Inc.  
California State Teachers Employees' Retirement System  
Casey Family Programs  
Center for American Progress  
Center for Biological Diversity  
Circuit City Stores Inc.  
Clayton Homes Inc.

Comerica Inc.  
Convergys Corp.  
DHL International GmbH  
Deutsche Post  
Drexel University  
FCA US LLC  
Fannie Mae  
FedEx Corp.  
Freddie Mac  
Georgia State University  
Institutional Shareholder Services Inc.  
Intermountain Healthcare Inc.  
International Centre for Dispute Resolution  
Kids in Need of Defense  
Lehman Brothers Holdings Inc.  
NFL Enterprises LLC  
National Restaurant Association  
National Telephone Cooperative Association  
Natural Resources Defense Council  
New York Times Co.  
PG&E Corporation  
Panasonic Corporation  
Pittsburgh Steelers  
Planned Parenthood Federation  
Procter & Gamble Co.  
Public Knowledge  
Raymour & Flanigan Furniture  
Reed Elsevier  
Robert Half International Inc.  
Sinclair Broadcast Group, Inc.  
Spectrum Management Holding Co.  
Spencer Stuart Inc.  
State Street Global Advisors Inc.  
Stryker Corp.  
TNT Express  
The Hershey Company  
Total Wine & More  
Tribune Media Co.  
Trump Organization Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
United Auto Workers  
United Continental Holdings Inc.  
United Parcel Service Inc.  
United States Olympic Committee  
Vistra Energy Corp.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
Federal Communications Commission  
Federal Trade Commission

Internal Revenue Service  
Securities and Exchange Commission  
Federal Bureau of Investigation  
U.S. Department of Homeland Security  
U.S. Senate  
U.S. Supreme Court  
European Union  
U.S. Attorney's Office  
U.S. Department of Labor  
U.S. House of Representatives  
Army Corps of Engineers  
Bureau of Indian Affairs  
Bureau of Land Management  
Cherokee Nation  
Consumer Financial Protection Bureau  
Drug Enforcement Administration  
Equal Employment Opportunity Commission  
European Commission  
Federal Aviation Administration  
Federal Deposit Insurance Corp.  
Federal Housing Administration  
Federal Housing Finance Agency  
Federal Mediation and Conciliation Service  
Federal Reserve System  
General Services Administration Office of Inspector General  
Georgia General Assembly  
Government Accountability Office  
Interior Board of Indian Appeals  
Joint Committee on Taxation  
Morongo Band of Mission Indians  
National Security Agency  
National Telecommunications and Information Administration  
New Jersey Supreme Court  
North Dakota Legislature  
Office of the Comptroller of the Currency  
Office of the U.S. Trade Representative  
Pennsylvania Department of Human Services  
Pennsylvania Supreme Court  
Quinault Indian Nation  
Sisseton-Wahpeton Oyate  
Spirit Lake Tribe  
Standing Rock Sioux Tribe  
Texas Health and Human Services Commission  
Three Affiliated Tribes of the Fort Berthold Reservation  
Turtle Mountain Band of Chippewa Indians  
U.S. Army  
U.S. Chemical Safety and Hazard Investigation Board  
U.S. Department of Education  
U.S. Department of State  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency

U.S. General Services Administration  
U.S. House Committee on Energy and Commerce  
U.S. Immigration and Customs Enforcement  
U.S. Tax Court  
United States Court of Appeals for the Third Circuit  
United States District Court for the Eastern District of Pennsylvania  
Vermont Natural Resources Agency

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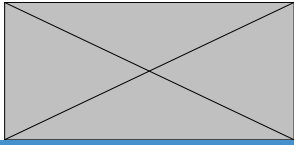
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CLV000757

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 11/17/2017 9:05:46 AM  
**Subject:** Grassley To Tear Up 'Blue Slips' To Advance 2 Trump Judges



**PUBLIC POLICY.**

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**Friday, November 17, 2017**

### TOP NEWS

#### Grassley To Tear Up 'Blue Slips' To Advance 2 Trump Judges

The chair of the Senate Judiciary Committee, Sen. Chuck Grassley, R-Iowa, is looking to advance two of President Donald Trump's choices for appellate courts, he said Thursday, bucking a century-old tradition allowing home-state senators to have a say in judicial nominations. [Read more »](#)

#### Delrahim Talk Signals Bad News For AT&T-Time Warner Deal

The U.S. Department of Justice's top antitrust enforcer on Thursday criticized past merger settlements that allowed "illegal" deals to clear with behavioral remedies, affirming his division's role as an enforcement body and implying there is little chance AT&T's proposed \$85 billion bid for Time Warner will move forward without divestitures. [Read more »](#)

#### Media Ownership Restrictions Scrapped In FCC Vote

The Federal Communications Commission voted Thursday to relax its broadcast media ownership rules, characterized as outdated by the Republican majority but touted as necessary bastions against consolidation by others. [Read more »](#)

#### Senate Panel Mulls Approving Judges Who Used Marijuana

Members of the Senate Judiciary Committee on Thursday discussed changing an informal policy on federal judicial nominees who used marijuana, potentially approving of candidates who had one or two "incidental" uses after passing the bar. [Read more »](#)

#### WTO Members Bristle At US Proposal To Boost Transparency

A U.S. proposal to increase transparency at the World Trade Organization by punishing members who do not file timely notifications of subsidies and other programs has received a cold reception from other delegations in Geneva, the WTO said Thursday. [Read more »](#)

#### EPA Still Blowing Money On Risky Contracts, Watchdog Says

Eight years after a governmentwide initiative, the U.S. Environmental Protection Agency still needs better acquisition planning and internal controls to slash hundreds of millions of dollars unjustifiably committed to high-risk contracts, the agency's internal watchdog said in a report released Wednesday. [Read more »](#)

### BANKING & SECURITIES

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#### LAW FIRMS

Alston & Bird  
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Baker Donelson  
Bass Berry  
Beck Redden  
Buchanan Ingersoll  
Butler Snow LLP  
Caplin & Drysdale  
Cozen O'Connor  
Dechert  
Dentons  
Dovel & Luner  
Drinker Biddle  
Faegre Baker  
Fish & Richardson  
Gibbons PC  
Gibson Dunn  
Goodwin  
Greenbaum Rowe  
Harrison White  
Hill & Ponton  
Holland & Knight  
Hyman Phelps  
King & Spalding  
Kirkland & Ellis  
Kobre & Kim  
McCarter & English

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## Senate Confirms Otting As Comptroller Of The Currency

The Senate approved Joseph Otting to lead the Office of the Comptroller of the Currency on Thursday, filling a key financial industry regulatory office in President Donald Trump's administration. [Read more »](#)

## House Panel Approves Bill Lifting Reg A+ IPO Limit To \$75M

A House of Representatives panel approved a bill Wednesday that would raise the limit on so-called Reg A+ offerings from \$50 million to \$75 million, a proposal that some securities attorneys say could broaden the appeal of the novel capital-raising method if it becomes law. [Read more »](#)

## ENERGY & ENVIRONMENTAL

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## DOI Watchdog Says Zinke Didn't Document Travel Expenses

A government watchdog told U.S. Department of the Interior officials on Wednesday that Secretary Ryan Zinke has failed to keep complete records of his travel since taking office, finding that in some cases he never documented his travel at all. [Read more »](#)

## EPA, Corps Seek To Delay Water Rule Until At Least 2020

The U.S. Environmental Protection Agency and U.S. Army Corps of Engineers on Thursday proposed postponing by two years the effective date of an Obama-era rule defining the federal government's jurisdiction under the Clean Water Act. [Read more »](#)

## EPA Chemical Nominee Faces Headwinds From GOP Senators

President Donald Trump's controversial pick to lead the U.S. Environmental Protection Agency's chemical safety office appears in danger of not surviving Senate confirmation after two Republican senators said Wednesday that they couldn't support his nomination and a third told reporters Thursday that she'd be a likely "no" vote as well. [Read more »](#)

## HEALTH & LIFE SCIENCES

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### Analysis

## Feds Likely To Give Menendez Trial Another Shot, Attys Say

The government will likely pursue a second bribery trial of Sen. Bob Menendez, D-N.J., and a Florida ophthalmologist in the wake of Thursday's mistrial, with prosecutors and defense lawyers expected to pore over the first trial's record to prepare for the battle ahead, attorneys say. [Read more »](#)

## Menendez Trial Ends With Hung Jury

A New Jersey federal judge on Thursday declared a mistrial in the case of Sen. Bob Menendez and a Florida ophthalmologist after jurors said they could not reach a unanimous decision on any charges, with the panel divided over whether the two men engaged in a bribery scheme or were just friends. [Read more »](#)

## Fed. Circ. Nixes Vets' Challenge To VA Agent Orange Policy

A divided Federal Circuit panel on Thursday tossed a petition from Vietnam War Navy veterans challenging a U.S. Department of Veterans Affairs manual tweak instructing adjudicators to deny medical benefits to sailors serving in deep-water harbors who were allegedly exposed to Agent Orange, concluding the change isn't a regulation over which it has jurisdiction. [Read more »](#)

## Senate Sends \$700B Defense Bill To Trump's Desk

The U.S. Senate on Thursday unanimously approved the nearly \$700 billion 2018 National Defense Authorization Act, sending the legislation to be signed into law alongside a companion bill intended to address concerns about the U.S. Department

McDermott Will  
McElroy Deutsch  
Miller Canfield  
Morrison & Foerster  
Nixon Peabody  
Norton Rose Fulbright  
Paul Weiss  
Quattlebaum Grooms  
Reed Smith  
Richard M. Colombik & Associates  
Saul Ewing  
Seyfarth Shaw  
Skadden  
Steptoe & Johnson LLP  
Sullivan & Cromwell  
Troutman Sanders  
Ward Smith & Hill  
Weil Gotshal  
White and Williams  
WilmerHale

### COMPANIES

AT&T Inc.  
American Bar Association  
American Civil Liberties Union  
Amgen Inc.  
Apotex Inc.  
Apple Inc.  
Associated Press  
CIT Group Inc.  
CTIA  
Cable News Network Inc.  
Cisco Systems Inc.  
Comcast Corporation  
Consumer Action  
DePuy Synthes Cos.  
Disabled American Veterans  
Dollar General Corporation  
Environmental Defense Fund Inc.  
Faculty Athletics Representatives Association  
General Electric Company  
Google Inc.  
HealthSouth Corporation  
Johnson & Johnson  
Life Technologies Corporation  
Major League Baseball Inc.  
Make the Road New York  
Micron Technology Inc.  
NFL Enterprises LLC  
National Association of Realtors  
National Basketball Association



of Defense exercising oversight of drugs and medical devices. [Read more »](#)

### **Senate Bill Targets Opioid Safety For Vets Not Treated At VA**

A bipartisan group of senators on Wednesday introduced a bill that would require non-U.S. Department of Veterans Affairs doctors to follow the VA's opioid prescription safety guidelines when treating veterans, in a further attempt to combat the opioid crisis. [Read more »](#)

## **MEDIA & ENTERTAINMENT**

### **Tobacco Groups Blast FDA For 'Massive' Speech Restriction**

Advocacy groups representing smokers and the cigar and pipe industries blasted the U.S. Food and Drug Administration in D.C. federal court Tuesday, saying the agency's rule increasing the size of warning labels on tobacco products is a "massive" free speech restriction imposed without adequate scientific analysis. [Read more »](#)

### **Broadcasters Cleared By FCC To Use Next-Gen TV Standard**

The Federal Communications Commission voted Thursday to allow broadcasters to begin implementing the next-generation TV standard known as ATSC 3.0, to the chagrin of Democratic commissioners, who said the move will be a boon for industry but a setback for consumers. [Read more »](#)

### **NJ Says Entire Sports Betting Ban Should Be Struck Down**

New Jersey told the U.S. Supreme Court on Wednesday that the entire federal statute banning sports betting violates the Tenth Amendment, reiterating, along with a thoroughbred horse owners and trainers group, its call for the high court to overturn a Third Circuit decision upholding the ban. [Read more »](#)

## **TRANSPORTATION & INFRASTRUCTURE**

### **Tenn. Aims To Exit Drivers' Suit Over License Suspensions**

The commissioner of the Tennessee Department of Safety and Homeland Security urged a federal court on Wednesday to toss a proposed class action that accuses him and several counties, cities and their respective clerks of unconstitutionally suspending the licenses of low-income residents, arguing they were rightly suspended under state law. [Read more »](#)

## **EMPLOYMENT**

### **Senate OKs Antitrust Whistleblower Bill, Sends It To House**

The full U.S. Senate on Wednesday approved a renewed bill, bound for a House of Representatives that's failed to take up past versions, that would heighten protections for whistleblowers who report antitrust violations, allowing them to sue in court if they are fired, demoted or otherwise retaliated against. [Read more »](#)

### **EEOC Report Spotlights Bias Suit Spike, Backlog Cut**

The U.S. Equal Employment Opportunity Commission filed more than twice as many discrimination lawsuits in fiscal 2017 as it did in the previous year, while also putting a significant dent in a persistent backlog of pending investigations that had recently drawn the ire of lawmakers, according to an agency report. [Read more »](#)

## **COMPETITION**

### **DOJ Aims To Speed Merger Review Under Trump, Deputy Says**

The new antitrust leadership at the U.S. Department of Justice is trying to cut down on the increasingly long time it has taken the watchdog to review mergers in recent

National Collegiate Athletic Association

National Conference of State Legislatures

National Congress of American Indians

National Hockey League

National Immigration Law Center

National Indian Gaming Association

Network-1 Technologies Inc.

New York Times Co.

OneWest Bank Group LLC

Pew Charitable Trusts

Promega Corp.

Sinclair Broadcast Group, Inc.

Southern Poverty Law Center

Tax Foundation

Temple University

The DIRECTV Group, Inc.

Tribune Media Co.

Turner Broadcasting System Inc.

U.S. Bancorp

Wal-Mart Stores Inc.

Washington Post Co.

Wells Fargo & Co.

## **GOVERNMENT AGENCIES**

Army Corps of Engineers

Bureau of Citizenship and Immigration Services

Bureau of Indian Affairs

California Department of Justice

Cheyenne River Sioux Tribe

Congressional Budget Office

Congressional Research Service

Equal Employment Opportunity Commission

Ewiiapaayp Band of Kumeyaay Indians

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications Commission

Federal Emergency Management Agency

Federal Reserve System

Federal Trade Commission

Food and Drug Administration

Government Accountability Office

Mississippi Band of Choctaw Indians

NAFTA

CLV000760

years, an agency official said Thursday. [Read more »](#)

## PRIVACY & CYBERSECURITY

### 'Lawful Hacking' Hurts Smaller Cities, Manhattan DA Says

Law enforcement's increased reliance on third-party hacking to get into encrypted smartphones gives wealthy cities an unfair edge in solving crimes, Manhattan District Attorney Cy Vance warned Thursday. [Read more »](#)

## GOVERNMENT CONTRACTS

### German Court Clears Kuwait Airways To Turn Away Israelis

A German court has said Kuwait Airways was legally allowed to remove an Israeli passenger from a flight because the airline was complying with a Kuwait law banning its citizens and companies from doing business with Israelis, the passenger's attorneys and media reports said Thursday. [Read more »](#)

## INTERNATIONAL TRADE

### Pol's Weigh In On NAFTA's Labor, Car Rules Ahead Of Talks

As the fifth round of talks to renegotiate the North American Free Trade Agreement began Wednesday, lawmakers from both sides of the aisle came forward with a fresh set of demands, looking to exert their will on the agreement's rules for labor and automobiles. [Read more »](#)

## TAX

### Analysis

#### Tax Bill's Legal Fee Provision May Burden Attorneys

Some attorneys are reeling from a provision inserted in the House and Senate's tax plans that would effectively erase a Ninth Circuit decision allowing attorneys to deduct expenses advanced to clients in contingent-fee cases, potentially placing a burden on practitioners and affecting the availability of legal services. [Read more »](#)

#### House Passes Tax Bill With Deep Cuts For Businesses

House Republicans on Thursday succeeded in passing wide-reaching tax legislation, overcoming Democrats' criticisms that it would significantly lower taxes for corporations and the wealthy while short-changing middle-income earners. [Read more »](#)

#### Senate GOP's Tax Plan Approved By Finance Committee

The Senate GOP's sweeping tax overhaul made it out of committee along a party-line vote Thursday, culminating a jam-packed week of markup that saw last-minute changes on pass-throughs, carried interest and a surprise repeal of the Affordable Care Act's individual mandate. [Read more »](#)

### Analysis

#### SALT Deduction Debate Stokes Fight Over Fairness

The highly emotional and largely partisan battle over the deductibility of state and local taxes is not only dividing lawmakers and citizens, it is also pitting states against one another in a fight over the fairness of repealing the tax benefit. [Read more »](#)

#### Foreign Credits At Risk In Senate Tax Bill, Analysts Say

A provision in the Senate's version of the Tax Cuts and Jobs Act requiring U.S. multinationals to calculate their foreign tax credits on an annual basis means that companies could end up with unusable leftover credits and bookkeeping anomalies due to mismatches with other countries' accounting rules, tax specialists say. [Read more »](#)

Navajo Nation

New York State Comptroller

Office of the Comptroller of the Currency

Office of the U.S. Trade Representative

Oglala Sioux Tribe

Pueblo of Pojoaque of New Mexico

Securities and Exchange Commission

Transportation Security Administration

U.S. Army

U.S. Attorney's Office

U.S. Customs and Border Protection

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. Immigration and Customs Enforcement

U.S. Postal Service

U.S. Senate

U.S. Supreme Court

Ute Indian Tribe

White Mountain Apache Tribe

World Trade Organization

## IMMIGRATION

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### **USCIS Says Some Immigrants Can Join In Revocation Process**

U.S. Citizenship and Immigration Services on Thursday released new policy guidance, in the form of an adopted decision, clarifying that beneficiaries of work-based immigrant visa applications who are able to change jobs are considered “affected parties” when it comes to the visa petition revocation process and should be allowed to take part in it. [Read more »](#)

### **Split 9th Circ. Says DHS Must Give Up DACA Docs**

The government must hand over internal documents describing how it decided to phase out the Deferred Action for Childhood Arrivals program, a split Ninth Circuit said Thursday in a decision that found the New York and California judges who issued the orders hadn’t clearly erred. [Read more »](#)

### **Feds To Accept DACA Forms From Those Hit By Mail Delays**

The Trump administration on Wednesday reversed its stance that it would do nothing for Deferred Action for Childhood Arrivals program applicants who met a filing deadline before the U.S. Postal Service apparently mishandled their applications, as challengers to plans to nix the program told a New York federal court the error affected at least 4,000 people. [Read more »](#)

### **Feds Can't Dodge SPLC's Suit Over Immigrant Raid Info**

A Georgia federal judge refused Wednesday to rule in favor of the U.S. Department of Homeland Security in a suit by the Southern Poverty Law Center over the department's alleged refusal to comply with a Freedom of Information Act request regarding a pair of immigration raids, saying the agency failed to conduct an adequate search. [Read more »](#)

### **Immigrant Groups Urge 4th Circ. To Broaden Travel Ban Halt**

The International Refugee Assistance Project and other immigrant advocates asked the Fourth Circuit on Wednesday to maintain the block on President Donald Trump’s travel ban restricting nationals of several predominantly Muslim countries from entering the U.S., and asked that it be expanded. [Read more »](#)

## NATIVE AMERICAN

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### **Analysis**

### **Tribes Hoping Overhaul Of BIA Regs Will Catalyze Deals**

The Bureau of Indian Affairs' invitation for tribes to comment on the potential impact of updating the federal government's regulations for doing business on Native American lands elicited stories of economic development deals hampered by red tape and calls to stop state governments from imposing taxes in Indian Country. Here, Law360 looks at why and how tribes and tribal organizations say the so-called Indian Trader regulations need to be changed. [Read more »](#)

## TELECOMMUNICATIONS

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### **Split FCC Votes To Limit Lifeline Subsidy Uses**

The Federal Communications Commission voted on Thursday to move forward with altering the way funds for the Lifeline subsidy program are awarded and disbursed, narrowing the range of services that the program applies to and contemplating a budget cap and tighter eligibility requirements for tribal lands. [Read more »](#)

### **FCC Clears Path For 5G Technology**

The Federal Communications Commission took action to free up spectrum for 5G on Thursday, the same day the chair of a House Energy and Commerce subcommittee touted the benefits of the fifth-generation wireless broadband technology during a hearing on its development and potential challenges. [Read more »](#)

## PEOPLE

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### Senate OKs Trump Pick For S.C. Judicial Vacancy

The Senate voted Thursday to approve Donald C. Coggins Jr. to fill a vacant district judgeship in South Carolina, sending a nominee previously put up by former President Barack Obama to the federal bench. [Read more »](#)

## EXPERT ANALYSIS

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### An Interview With Former DHS Secretary Jeh Johnson

Jeh Johnson, the former secretary of homeland security, was kind enough to let me visit him to reflect on his diverse career. He told stories that left me speechless. And yes, the man who was responsible for the Transportation Security Administration removed his shoes when going through airport security. You bet I asked, says Randy Maniloff of White and Williams LLP. [Read more »](#)

### Manafort Attorney's Testimony And The Limits Of Privilege

A D.C. federal judge's recent opinion requiring former counsel to Paul Manafort and Rick Gates to testify before a federal grand jury offers four lessons for defense counsel and their clients, says Justin C. Danilewitz of Saul Ewing Arnstein & Lehr LLP. [Read more »](#)

### Why White House Efforts To Dismantle Regs Face Roadblocks

When the White House changes hands from one political party to the other, the new administration often seeks to change or eliminate some of the regulations promulgated by prior administrations. But when regulatory provisions are based on scientific or economic analysis, it may be difficult to legally justify a change, says Steven Gordon of Holland & Knight LLP. [Read more »](#)

### What To Expect After Latest DOL Overtime Rule Appeal

In appealing a decision that invalidated the Obama administration's overtime rules, it seems the U.S. Department of Labor wants to affirm its authority to utilize a salary threshold for Fair Labor Standards Act exemptions, say Dale Hudson and Jeffrey League of Nixon Peabody LLP. [Read more »](#)

### With Integration Pilot Program, Drones Are Ready To Fly

The White House recently announced it will cull regulatory restrictions on the use of unmanned aircraft systems, and will allow state and local governments to submit proposals for drone testing. Companies interested in drones should understand how federal rules impact licensing of pilots, registration of drones and more, say Patrick Reilly and Blake Angelino of Faegre Baker Daniels LLP. [Read more »](#)

## LEGAL INDUSTRY

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### Am Law 200 Firms Struggled To Grow In 2017

Am Law 200 firms continue to face sobering challenges as they lack the growth in gross revenue and demand that the top 100 law firms have experienced, according to a new survey released Thursday. [Read more »](#)

### Don't Let ABA Post Letter About Cooley, Law School Urges

Western Michigan University's Thomas M. Cooley Law School has asked a Michigan federal judge to make the American Bar Association remove a letter from its website raising questions about Cooley student qualifications, saying continued publication would hurt the school's reputation and violate its due process rights to appeal. [Read more »](#)

### Law360's Weekly Verdict: Legal Lions & Lambs

Weil Gotshal heads up the legal lions list this week, snagging a precedential win at the Federal Circuit finding the U.S. Supreme Court's TC Heartland decision was a change in law, while Skadden and King & Spalding ended up on the lambs list after

their client, Johnson & Johnson, was slammed with a \$247 million verdict in a hip implant bellwether trial. [Read more »](#)

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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Jon Ralston  
**Sent:** Fri 6/23/2017 3:43:35 PM  
**Subject:** [Marketing Mail] Ralston Reports -- Morning Flash, 6/23/17

06.23.2017

This dispatch prepared for .

DAYS UNTIL THE 2018  
GENERAL ELECTION: 502

Good morning, everyone. Two pieces from another news outlet I don't want you to miss. First, Steve Sebelius has a [sickening scoop on the soon-to-be former elected official known as Mark Manendo](#). And did you see [this RJ editorial about seeing what the feds will give us to lie down and take Yucca](#)? Amazing stuff.

-----

What's below: Health care bill, Morning Flash nuggets and a trivia question about a family (and movie trivia!).

#### COMING UP

First IndyMatters podcast being recorded in Vegas today. EXCITEMENT.

#### WHATEVER BRIAN SAYS....

I'm told Gov. Brian Sandoval is going to talk more about the Medicaid component of the health care bill today. I doubt it will be positive, based on his initial criticism.

Here's the critical point: Throughout the process, Sen. Dean Heller has said he will consult with the governor and won't vote for the bill if it's bad for Nevada. So how does he vote for this bill? Answer: No chance he does unless the Medicaid part is changed. And the problem for him is too many senators in his party already think it's too liberal!

Heller is a focus of many national stories as the deciding vote. I talked to one outlet already today. I must say I can't remember any time a Nevada senator was so pivotal on one vote or one had been the target of so many ads and protests and social media activism. Ever.

#### A COUPLE OF MORNING FLASH NUGGETS

Nugget No. 1 – Speaking of Heller, both the AFL-CIO and Stand up America/VoteVets.org are launching ad campaigns today on health care. It is amazing how much money has been spent on one or two (Jeff Flake) guys.

Nugget No. 2 – Hmm, the FEC is asking the Wisconsin GOP [about a \\$10K donation/refund from Steve Wynn](#).

-----PAID ADVERTISEMENT-----

**A MESSAGE FROM MGM RESORTS INTERNATIONAL: Through its employee blood drives, MGM Resorts supplies an unmatched 10 percent of the blood donations in Southern Nevada. To recognize this commitment to the community, the American Red Cross recently presented its Bio-Medical Services Award to MGM, which last year collected 950 units of blood that helped preserve 2,850 lives..**

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#### TRIVIA QUESTION OF THE DAY

This is the 14th anniversary of the publication of a story headlined, "In Nevada, the Name to Know is XXXX." Fill in the blanks and then tell me the five non-elected officials who were the focus of the piece.

Thursday's winner: Zach Conine

The question: Today is the birthdate of a Nevada pioneer who followed her mentor to DC but then was blocked from her dream by that same mentor. Who was it, what was the pioneering act, who was her mentor and what race did he keep her out of?

CLV000768

The answer: Barbara Vucanovich, Paul Laxalt, 1986 Senate race

(As always, hat tip to William Lefkovichs, my favorite historian.)

**MOVIE TRIVIA QUESTION OF THE WEEK**

Name the actor and the movies: He plays a whistleblower; he plays a temporary cross-dresser; he plays a down-on-his-luck salesman; and he plays a neat freak.

---

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**From:** Robert Song

**Sent:** Wed 8/8/2018 11:07:25 AM

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**Date:** Wed, Aug 8, 2018 at 3:53 AM

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Amichi, Amigo, Amiga, Pinoy,  
& Pinay,

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1] M: 702-912-7174.

2] H: 702-889-0678 [Landline].

---

## 1. Quote of the day:

Success is a piece of mind which is a direct result of the self-satisfaction knowing you did your best to become the...

**John Wooden**

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## Quote of the day

People become really quite remarkable when they start thinking that they can do things. When they believe in...

**Norman Vincent Peale**

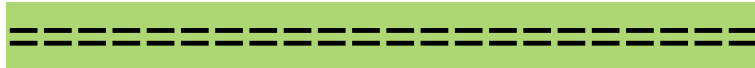
[read quote...](#)

## Verse of the day

Philippians 4:12

I know what it is to be in need, and I know what it is to have plenty. I have learned the secret of being content in any and every situation, whether well fed or hungry, whether living in plenty or in want.

[read more verses...](#)



## 2. Robert Redford's Shocking Announcement:

**Robert Redford's Shocking Announcement**

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[The top aide to former Trump campaign chairman Paul Manafort testified at trial on Tuesday th... \[more\]\(#\)](#)

[reuters.com](#)

### 3. Edward Snowden's Life in Russia After Leaking Classified Data:

**Sent:** Monday, August 6, 2018, 7:54:25 AM PDT

**Subject:** Edward Snowden's Life in Russia After Leaking Classified Data

#### Edward Snowden's Life in Russia After Leaking Classified Data

Five years ago former US National Security Agency (NSA) officer, whistleblower Edward Snowden...

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Apple and Facebook clamped down on content by Alex Jones Monday....

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On the 53rd anniversary of the Voting Rights Act, former First Lady Michelle Obama announced Monday the launch of a new campaign....

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## Trump at a precarious moment in his presidency

In private, President Donald Trump spent much of the past week brooding....

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## Sarah Sanders Refuses to Say Press Isn't 'Enemy of the People'

A jawdropping exchange which

got the CNN reporter so frustrated

he eventually walked out

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## 4. Hollywood Removes Trump's



Star from Walk of Fame:

## Hollywood Removes Trump's Star from Walk of Fame

West Hollywood City Council has approved a resolution to remove President Trump's star from the Hollywood Walk of Fame. "West Hollywood City council unanimously passes resolution asking the Hollywood Chamber of Commerce to remove the Donald Trump star on Hollywood Walk of Fame," Mayor John Duran tweeted following the vote. According to comments made during a meeting, the resolution "is not because of his conservative politics or his conservative policies. It is for the abuse of women, minorities, immigrants, the disabled...you've crossed a line of decency." But of course by that standard half of Hollywood's leading men might have to be removed as well. We're waiting with bated breath as to whether the city council will follow up in that respect.

**You Might Like**



### 5. Brand New KB Home For Rent:

Please call Bob at M: 702-912-7174 or

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2115 Sq Ft. \$1,900 / Month. Deposit: \$3,800.

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NV 89113 Which is inside the Famous

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Location: Hacienda & Tanya or Rainbow.

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Please see attachments at bottom:

IMG\_4688 to IMG\_5258: House, Gate

& Rooms.

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Control Room Director, Nuclear

Power Expert

Sr. Startup & Sr. Restart Engineer

for 18 Power & Atomic Bomb Plants.

Compliance Group Assistant

Manager on [10 CFR - Code of

Federal Regulations].

Sr. Procedure Writer etc. for Power

Plants & Atomic Bomb Plants.

at 17 (Cities), in 12 States in USA.

Helped Owner to make \$ 1 Million a

Day income

Which are Vital Critical Projects.

Grande USA Dept. Of Energy [DOE]

Q - Highest Classify Clearance

thru FBI.

Project Manager of Taiwan Power

Huge Project Plant.

Invited by China Leader [Chairman

Jiang] & Chief Ma of

Foreigner Expert Bureau Interviews

& Tours to the 10 Best

cities in China.

Silver Certificate of America Nuclear

Society (ANS).

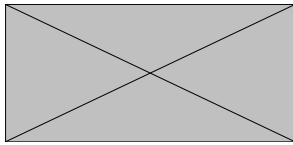
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 3/30/2017 7:48:30 AM  
**Subject:** [Marketing Mail] More Democrats Rally To Gorsuch Filibuster Effort



**PUBLIC POLICY**

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**Thursday, March 30, 2017**

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## **TOP NEWS**

### **More Democrats Rally To Gorsuch Filibuster Effort**

Senate Democrats pushed further to block of the Tenth Circuit Judge Neil Gorsuch's nomination to the U.S. Supreme Court on Wednesday, as more than half of their colleagues have said they would oppose his confirmation.

### **Justices Set Tough Standard For State Credit Card Fee Laws**

A Wednesday U.S. Supreme Court ruling that a New York law restricting credit card fee disclosures regulated retailers' speech puts similar statutes around the country on shaky ground.

### **Gov't Funding Bill Likely To Exclude \$33B For Defense, Wall**

Congressional leaders are moving ahead with a fiscal year 2017 funding bill that is likely to exclude the White House's \$33 billion supplemental request intended for defense spending and to help build President Donald Trump's touted southern border wall project, a senior Republican lawmaker said Tuesday.

### **Sens. Provide Update On Russia Probe As Nunes Stands Firm**

Senate Intelligence Committee leaders sought to underscore the seriousness of their probe into Russian interference with the 2016 presidential election on Wednesday, as House Intelligence Committee Chairman Devin Nunes, R-Calif., pinned the blame on Democrats for difficulties with his own committee's investigation, rebuffing calls to step down.

### **Lifting Of Federal Coal Moratorium Sparks Legal Fight**

Interior Secretary Ryan Zinke on Wednesday formally lifted the moratorium on the federal coal leasing program imposed last year, prompting an immediate legal challenge from environmental groups and the Northern Cheyenne Tribe.

### **Fla. House Narrowly Passes Judicial Term Limits Bill**

The Florida House of Representatives narrowly passed a bill Wednesday that would place an amendment on the ballot next year to limit state appellate and Supreme Court judges to two six-year terms.

### **High Court Says NY Credit Card Disclosures Regulate Speech**

The U.S. Supreme Court on Wednesday asked a federal appellate court to determine whether a New York law that restricts the disclosures retailers can make to customers about credit card surcharges violated retailers' First Amendment rights, vacating the lower court's ruling that upheld the law.

### **FCC's Pai Seeks Internet Without 'Heavy-Handed' Regs**

Federal Communications Commission Chairman Ajit Pai doubled down Wednesday on his theme of a new "light touch" approach that promotes investment at the FCC, advocating for an internet freer from "heavy-handed" regulation in a speech that also touted new telecom cooperation between India and the U.S.

## **LAW FIRMS**

Akin Gump  
Arnold & Porter Kaye Scholer  
Baker Donelson  
Ballard Spahr  
Barnes & Thornburg  
Beytin McLaughlin  
Blank Rome  
Boies Schiller  
Bowman and Brooke  
Carter Ledyard  
Cozen O'Connor  
Crowell & Moring  
Dinsmore & Shohl  
Earthjustice  
Epstein Becker Green  
Fisher Phillips  
Foley Hoag  
Gibson Dunn  
Grunfeld Desiderio  
Gupta Wessler  
Hadsell Stormer  
Hogan Lovells  
Holland & Knight  
Jenner & Block  
Labaton Sucharow  
Latham & Watkins  
Lawyers' Committee for Civil Rights  
Long & Levit  
Morgan Lewis  
Polsinelli  
Quarles & Brady  
Quinn Emanuel  
Sedgwick LLP  
Shearman & Sterling  
Spiegel & McDiarmid  
Squire Patton Boggs  
Sullivan & Cromwell  
Womble Carlyle

CLV000781

## **GWB Scandal Figures Get Prison Terms For 'Abuse Of Power'**

Two former public officials convicted in the George Washington Bridge lane-closing scandal were slapped with prison terms Wednesday for what a New Jersey federal judge called "an outrageous display of abuse of power" driven by a culture in the state Capitol where political opponents faced retribution.

## **BANKING & SECURITIES**

### **Dems Say Piowar Overstepping Authority At SEC**

Four Democratic senators asked the U.S. Securities and Exchange Commission's inspector general on Wednesday to investigate Acting Chair Michael Piowar's latest actions, suggesting Piowar may be undermining the agency's mission and exceeding his authority by directing policy changes.

## **ENERGY & ENVIRONMENTAL**

### **EPA Asks DC Circ. To Put Off Ruling On Clean Power Plan**

The U.S. Environmental Protection Agency on Tuesday asked the D.C. Circuit to hold off on issuing an opinion on the validity of the Clean Power Plan, following President Donald Trump's signing of an executive order directing the EPA to review the rule.

### **Pa. Appeals Court Limits Reach Of Gas Law's Well Fee**

A Pennsylvania appeals court issued a published decision on Wednesday finding that wells that fall below a natural gas production threshold for one month out of the year can skirt paying annual impact fees assessed under state law to compensate local governments for drilling-related activities.

### **NY State Seeks To Quash Bid To Ax Nuke Plant Subsidies**

An attorney for New York state utility regulators on Wednesday urged a federal judge in Manhattan to reject challenges to the Empire State's plan to subsidize three struggling nuclear power plants as part of a clean-energy strategy, drawing a distinction between the plan and Maryland energy subsidies, which the U.S. Supreme Court invalidated last year.

### **Green Groups Say No Proof Nuke Plants Are Zero-Emission**

Green groups on Tuesday told a federal judge the conclusion that nuclear power produces zero emissions when generating electricity asserted in New York's plan to subsidize three struggling nuclear power plants is flawed, saying there is no evidence supporting such an assertion.

### **Enviros Lose Bid To Nix NJ Permit For Road Over Park Trail**

A permit granted to build a bypass road over a current park trail in Ocean County was proper, a New Jersey appeals court ruled Wednesday, finding the state's Department of Environmental Protection did not violate any regulations in granting the permit after denying earlier proposals from the township.

### **10th Circ. Says Congress Can Regulate Prairie Dog Hunting**

The Tenth Circuit on Wednesday ruled that the U.S. Fish and Wildlife Service, by way of Congress, has the right to prohibit Utah prairie dog hunting on nonfederal land in the state, reversing a lower court ruling that favored a challenge to the regulation from a property-owner rights group.

## **HEALTH & LIFE SCIENCES**

### **OIG Inquiry Sends Message To Trump On Undermining ACA**

An Office of Inspector General inquiry into the Trump administration's elimination of Affordable Care Act advertising underscores the political risks of not steadfastly

## **COMPANIES**

AT&T Inc.  
Aetna Inc.  
American Bar Association  
American Civil Liberties Union  
Associated Press  
Association of Corporate Counsel  
Barrick Gold Corporation  
Bayer AG  
CIGNA Corporation  
Center for Biological Diversity Inc.  
Dynegy Inc.  
Entergy Corporation  
Exelon Corporation  
Financial Services Roundtable  
Geico  
GlaxoSmithKline  
Humana Inc.  
LawVision Group LLC  
Lawyers' Committee for Civil Rights Under Law  
NFL Enterprises LLC  
NRG Energy Inc.  
Oakland Raiders  
PPL Corporation  
Philadelphia Entertainment & Development Partners  
SIFMA  
Service Employees International Union  
Sierra Club  
Talen Energy Corp.  
Twitter Inc.  
U.S. Chamber of Commerce  
United Auto Workers  
Verizon Communications  
Wal-Mart Stores Inc.  
Washington Post Co.  
Yahoo! Inc.

## **GOVERNMENT AGENCIES**

Antitrust Modernization Commission  
Arizona Attorney General's Office  
Bureau of Land Management  
Department of Commerce  
Enterprise Rancheria of Maidu Indians  
Equal Employment Opportunity Commission  
Executive Office of the President  
Federal Acquisition Regulatory Council

implementing the law, experts say.

## IP & TECHNOLOGY

### Copyright Chief Appointee Bill Clears House Hurdle

The House Judiciary Committee voted 27-1 on Wednesday to approve a bipartisan bill that would make the Register of Copyrights a presidentially appointed position, a step toward a broader initiative of modernizing the U.S. Copyright Office.

## MEDIA & ENTERTAINMENT

### NFL Still Wary Of Sports Betting Despite Raiders' Vegas Move

NFL Commissioner Roger Goodell said Tuesday that the Oakland Raiders' move to the gambling and sports betting mecca Las Vegas will not change the league's anti-gambling and anti-sports-betting policies, though he acknowledged that attitudes are changing toward gambling.

## TRANSPORTATION & INFRASTRUCTURE

### UAW Tells Sens. To Vote 'No' On Gorsuch For Supreme Court

The president of the United Automobile, Aerospace and Agricultural Implement Workers of America on Wednesday announced he has sent a letter to the U.S. Senate expressing strong opposition to Tenth Circuit Judge Neil Gorsuch's nomination to the U.S. Supreme Court, urging lawmakers to vote no on the nomination.

## HOSPITALITY

### Foxwoods Developer Loses Appeal Over \$50M Pa. Casino Fee

A Pennsylvania federal judge on Tuesday affirmed a bankruptcy judge's ruling that nixed a bid by the bankrupt developer of a failed Foxwoods casino project in Philadelphia to recoup a \$50 million casino licensing fee paid to the state.

## EMPLOYMENT

### W.Va. Gov Vetoes Troubled Right-To-Work Law Amendments

West Virginia Gov. Jim Justice vetoed a bill on Tuesday aimed at updating the state's right-to-work law that was put on hold by the state's courts, saying that the legal process should be allowed to play out and that the Legislature should focus on West Virginia's budget.

### Law Bars Miami Beach Minimum Wage Hike, Judge Says

Miami Beach's proposed minimum wage increase was blocked Tuesday by a Florida state judge who determined that it violated a state law prohibiting municipalities from creating wage floors that buck the statewide rate.

### DOL Fights Request To Halt Fiduciary Rule At 5th Circ.

The U.S. Department of Labor on Wednesday urged the Fifth Circuit not to halt its fiduciary rule for retirement account advisers while the U.S. Chamber of Commerce and other groups attempt to revive their challenge of the rule, saying the "extraordinary relief" is not warranted.

## COMPETITION

### Major Antitrust, Merger Changes Coming To Chile, Argentina

Federal Communications Commission  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Florida House of Representatives  
Florida State Senate  
Government Accountability Office  
Library of Congress  
Muckleshoot Indian Tribe  
NATO  
National Aeronautics and Space Administration  
National Economic Council  
National Labor Relations Board  
New Jersey Attorney General's Office  
New Jersey Department of Environmental Protection  
New York Attorney General's Office  
New York State Department of Financial Services  
North Fork Rancheria of Mono Indians  
Northern Cheyenne Tribe  
Office of the U.S. Trade Representative  
Pennsylvania Public Utility Commission  
Pennsylvania Supreme Court  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
U.S. Copyright Office  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
U.S. Supreme Court  
United Auburn Indian Community  
United Nations

CLV000783



Argentina and Chile are poised to enact or implement major changes to competition policy to modernize antitrust and merger enforcement in their jurisdictions and bring them in line with countries such as Brazil and Mexico that have adopted similar reforms in recent years, Argentine and Chilean officials said Wednesday.

## LEGAL ETHICS

### NYC Says Legal Defense Fund Contributions Are Gifts

Contributions to legal defense funds established by New York City public servants to offset legal costs must be considered gifts and are subject to applicable gift restrictions, according to an advisory opinion released Wednesday by the city Conflicts of Interest Board.

## INSURANCE

### Pa. Justices To Mull If Insurance Chief Bound By Dept. Report

The Pennsylvania Supreme Court agreed to review a ruling which found that the state's insurance commissioner was not bound to follow the recommendation of an investigation in a matter involving an insurer's decision to not renew coverage for a homeowner.

## PRIVACY & CONSUMER PROTECTION

### Analysis

#### 5 Ways IPO Prospects Can Boost Cybersecurity Readiness

Cyberattacks are a big enough headache for a private company, but the risks take on new meaning for a company considering going public, where they will face far more regulatory scrutiny and risk investor backlash should their sensitive data be breached. Here are five ways IPO prospects can boost their cybersecurity readiness before catching the public's eye.

## PRODUCT LIABILITY

### Fla. Bill Could Increase Personal Injury Damages Awards

A bill that would expand prejudgment interest for prevailing plaintiffs mandatory in all civil suits, including personal injury and wrongful death claims, passed favorably out of a Florida Senate committee Wednesday.

## GOVERNMENT CONTRACTS

### Senators Demand GAO Probe Of Work Relief Programs

Two senators on Tuesday asked the U.S. Government Accountability Office for a full evaluation of government work relief initiatives, including the often-maligned fleet of Trade Adjustment Assistance Programs.

### El Salvador Wins Post-Award Interest On \$8M Costs Award

An International Centre for the Settlement of Investment Disputes tribunal agreed Tuesday to supplement its award dismissing an OceanaGold Corp. subsidiary's claim against El Salvador over a stymied gold mining project to include post-award interest on an \$8 million costs award.

## AEROSPACE & DEFENSE

### Senate Approves Treaty For Montenegro To Join NATO

The U.S. Senate late on Tuesday approved a treaty allowing Montenegro to join

NATO, one day after lawmakers voted overwhelmingly to move toward final passage of the deal, which offers formal U.S. support for the Balkan state to join the military alliance as its 29th member.

## INTERNATIONAL TRADE

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### Analysis

#### **NTC's Role Becomes Clearer, And The Trade Bar Isn't Happy**

Attorneys recently learned more about the precise role of the newly created White House National Trade Council after its director Peter Navarro attempted to put his thumb on the scale of a closely watched anti-dumping duty review, a move that has put some on the trade bar on high alert.

## TAX

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#### **Ways & Means Head Considers Changes To Border Tax Plan**

House Republicans may be bending to political pressure over their most controversial proposal to revamp tax laws, with the leader of the chief tax-writing committee in the House of Representatives saying Wednesday that he is "contemplating significant modifications" to the border-adjusted tax plan.

## IMMIGRATION

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#### **Immigration Bill Roundup: Changes Proposed For Work Visas**

Members of the 115th Congress took action on immigration-related bills in recent days that included measures to circumvent annual caps on H-2B visas and to bar employers from shifting jobs overseas as part of the H-1B visa program.

#### **Vt. Gov. Signs Bill To Limit Local Cooperation On Immigration**

Vermont Gov. Phil Scott on Tuesday signed into law a bill to limit how local law enforcement may cooperate with federal agents on immigration matters while still complying with related federal laws.

#### **Feds Fight Travel Ban Suit Over Updated Executive Order**

The federal government urged a D.C. federal court Tuesday to reject a bid made by several Iranian groups to block President Donald Trump's second executive order creating a travel ban, arguing that the parties haven't suffered any injuries and that the order is "explicitly religion-neutral."

#### **Ariz. County Can't Use I-9s In State Prosecutions, Judge Says**

An Arizona federal judge has permanently barred the Maricopa County Sheriff's Office from using documents submitted by employees solely for use in I-9 employment authorization checks to conduct criminal prosecutions for identity theft or forgery under two state laws.

#### **Seattle Sues Trump Over 'Sanctuary Cities' Funding Threat**

The city of Seattle is the latest municipality to take aim at President Donald Trump's executive order limiting federal funds to so-called sanctuary cities, filing a lawsuit in Washington federal court Tuesday alleging the order violates the Tenth Amendment and puts as much as \$155 million of the city's federal funding at stake.

## NATIVE AMERICAN

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#### **Tribe Tells Calif. High Court Gov. Can't OK Off-Res Casino**

The United Auburn Indian Community has pressed California's top court to hold that the state's governor cannot give the thumbs-up to a tribe for off-reservation gambling because to do so exceeds the governor's power under the state's constitution and violates the separation of powers between government branches.

## **Wash. Tribes Escape Sanctions In Cigarette Sales Row**

A Washington federal judge refused Wednesday to sanction attorneys for members of four Native American tribes who unsuccessfully tried to block state employees from pursuing criminal cases for the illegal sale of cigarettes on Indian land, finding that arguments made in their proposed third amended complaint weren't frivolous.

## **TELECOMMUNICATIONS**

### **FCC To Nix Federal Lifeline Approval Process, Pai Says**

The Federal Communications Commission will move to eliminate a streamlined federal approval process instituted by the last administration for companies seeking to provide new Lifeline broadband service for low-income households, and will not defend against a legal challenge to it, Chairman Ajit Pai said Wednesday.

### **AT&T Backs FCC To Allocate Broadband Infrastructure Funds**

The U.S. Federal Communications Commission should be responsible for dispersing any new money for broadband through its Connect America Fund and Mobility Fund programs, AT&T said Wednesday, since it clearly has the expertise and tools to make sure that the funds go where broadband is most needed.

## **EXPERT ANALYSIS**

### **Broad Contractor Whistleblower Protections Are Here To Stay**

Based on the U.S. Government Accountability Office's recent report on the Whistleblower Protections Pilot Program, it appears that many contractors may not fully understand their obligations to communicate whistleblower rights to their employees, say attorneys with Crowell & Moring LLP.

### **Calif. Bill Puts Employers In Middle Of Immigration Debate**

It was anticipated that the California Legislature would respond to the Trump administration to address issues impacting immigrant workers. With the recent introduction of Assembly Bill 450 we now have a clear sense of what that response will look like, says Benjamin Ebbink of Fisher Phillips.

#### **Series**

### **Advocate For An Agency: Ex-FERC GC Cynthia Marlette**

Cynthia Marlette, the Federal Energy Regulatory Commission's general counsel from 2001 to 2005 and from 2007 to 2009, reflects on how she addressed the job's many responsibilities, including advising the commission on laws and enforcement actions, developing policy, seeking consensus among commissioners, and overseeing defense of agency actions in court, as well as dealing with historic events like the California energy crisis.

#### **Opinion**

### **Delrahim: The Right Captain For The Antitrust Division**

The selection of Makan Delrahim to lead the U.S. Department of Justice's Antitrust Division likely signals that there won't be a significant change in course for the crucial and nonpartisan work of the Antitrust Division. There could be no better choice for the job, says David Balto, former policy director of the Federal Trade Commission Bureau of Competition.

## **LEGAL INDUSTRY**

#### **Analysis**

### **4 Ways To Rise To The Top In BigLaw Without Making It Rain**

Being a rainmaker is often thought of as the gold standard when it comes to "making it" in BigLaw, but experts say there are a number of ways lawyers can become highly valued partners without being stellar business generators. Here are four tips on becoming a major player without being a rainmaker.

## Analysis

### 3 Decisions You Need To Read About Bills And Privilege

It's generally understood that the bills a lawyer sends a client are privileged communications and can't be pried open through discovery, but courts haven't always agreed with the concept. Here, we look at three recent cases showing just how far the privilege can or cannot go when it comes to legal billing.

### ACC Offers Benchmarks For Law Firm Cybersecurity

The Association of Corporate Counsel on Wednesday released cybersecurity guidelines for law firms that outline the ways in which sensitive information passed to outside counsel should be handled and protected.

### Plaintiffs Bar Perspective: Jonathan Gardner

For plaintiffs attorneys, it's important to have an entrepreneurial mindset and understand the business of law. Since we are contingency-based, we take on risk with every case, says Jonathan Gardner, partner at Labaton Sucharow LLP.

## JOBS

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### LAW FIRMS

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Arnold & Porter Kaye Scholer  
Baker Donelson  
Ballard Spahr  
Barnes & Thornburg  
Beytin McLaughlin  
Blank Rome  
Bowman and Brooke  
Carter Ledyard  
Cozen O'Connor  
Dinsmore & Shohl  
Earthjustice  
Epstein Becker Green  
Foley Hoag  
Grunfeld Desiderio  
Hadsell Stormer  
Hogan Lovells  
Holland & Knight  
Labaton Sucharow  
Latham & Watkins  
Lawyers' Committee for Civil Rights  
Long & Levit  
Morgan Lewis  
Polsinelli  
Quarles & Brady  
Quinn Emanuel

Sedgwick LLP  
Shearman & Sterling  
Squire Patton Boggs  
Sullivan & Cromwell  
Womble Carlyle

#### COMPANIES

American Bar Association  
American Civil Liberties Union  
Sierra Club  
AT&T Inc.  
Dynegy Inc.  
Entergy Corporation  
Exelon Corporation  
NRG Energy Inc.  
Aetna Inc.  
Associated Press  
Association of Corporate Counsel  
Barrick Gold Corporation  
Bayer AG  
CIGNA Corporation  
Center for Biological Diversity Inc.  
Financial Services Roundtable  
Geico  
GlaxoSmithKline  
Humana Inc.  
LawVision Group LLC  
Lawyers' Committee for Civil Rights Under Law  
NFL Enterprises LLC  
Oakland Raiders  
PPL Corporation  
Philadelphia Entertainment & Development Partners  
SIFMA  
Service Employees International Union  
Talen Energy Corp.  
Twitter Inc.  
U.S. Chamber of Commerce  
United Auto Workers  
Verizon Communications  
Wal-Mart Stores Inc.  
Washington Post Co.  
Yahoo! Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
U.S. Senate  
Federal Communications Commission  
Federal Energy Regulatory Commission  
Federal Trade Commission

Government Accountability Office  
New York Attorney General's Office  
Executive Office of the President  
Pennsylvania Supreme Court  
Securities and Exchange Commission  
U.S. Department of Defense  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Immigration and Customs Enforcement  
Antitrust Modernization Commission  
Arizona Attorney General's Office  
Bureau of Land Management  
Department of Commerce  
Enterprise Rancheria of Maidu Indians  
Equal Employment Opportunity Commission  
Federal Acquisition Regulatory Council  
Fish and Wildlife Service  
Florida House of Representatives  
Florida State Senate  
Library of Congress  
Muckleshoot Indian Tribe  
NATO  
National Aeronautics and Space Administration  
National Economic Council  
National Labor Relations Board  
New Jersey Attorney General's Office  
New Jersey Department of Environmental Protection  
New York State Department of Financial Services  
North Fork Rancheria of Mono Indians  
Northern Cheyenne Tribe  
Office of the U.S. Trade Representative  
Pennsylvania Public Utility Commission  
Port Authority of New York & New Jersey  
U.S. Copyright Office  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
United Auburn Indian Community  
United Nations

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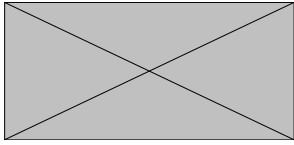
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 10/30/2017 8:06:12 AM  
**Subject:** Trump Admin Eyes Looser Limits On ACA Essential Benefits



**PUBLIC POLICY.**

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**Monday, October 30, 2017**

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## TOP NEWS

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### Trump Admin Eyes Looser Limits On ACA Essential Benefits

The Trump administration on Friday proposed new leeway for states to determine coverage of "essential health benefits" in Affordable Care Act plans, addressing a key issue targeted by the failed ACA repeal effort. [Read more »](#)

### Justice Ginsburg On Her Feminist Path To The Notorious RBG

When a 21-year-old Ruth Bader was getting ready to marry her fellow Cornell University classmate Marty Ginsburg in 1954, her mother pulled her aside and gave the future U.S. Supreme Court justice some unsolicited advice about marriage. [Read more »](#)

### Wash. Judge Won't Halt Trump's 3rd Travel Ban

A Washington federal court on Friday refused to block the most recent iteration of President Donald Trump's travel ban from going into effect, saying Hawaii's temporary restraining order provides the desired relief, and declined to lift the stay on a suit by six states challenging the initial travel ban. [Read more »](#)

### Treasury Says Bank Rules Shouldn't Apply To Asset Managers

The U.S. Department of the Treasury on Thursday said asset managers and insurers should not be subjected to stress testing and other rules banks follow, and instead should have their trading and other activities regulated. [Read more »](#)

### Stalled Pentagon Picks To Move Forward, GOP Sens. Say

The full Senate is expected to vote next week on President Donald Trump's nominee to serve as deputy chief management officer for the Department of Defense, and the Armed Services Committee is also expected to hold a nomination hearing for four other DOD picks, Senate Republicans said Friday. [Read more »](#)

#### Analysis

### 'Cost of Carbon' Calculus Key To Trump's Reg Rollback Push

One of the keys to the Trump administration's efforts to undo former President Barack Obama's climate change legacy has been to alter the way the government calculates the future cost of carbon emissions, a move that dramatically alters regulatory cost-benefit analyses. [Read more »](#)

## BANKING & SECURITIES

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### SEC Owes \$15B After Kokesch Bars Disgorgement, Suit Says

A liquidation trustee's suit filed in Massachusetts federal court on Thursday says the U.S. Supreme Court's recent Kokesch decision didn't just limit the ability of the U.S. Securities and Exchange Commission to win disgorgement of ill-gotten gains, but destroyed it, and seeks almost \$15 billion from the agency. [Read more »](#)

## ENERGY & ENVIRONMENTAL

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## LAW FIRMS

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Arnold & Porter Kaye Scholer  
Baker Botts  
Baker Donelson  
Benesch Friedlander  
Bracewell  
Broad and Cassel  
Brown Rudnick  
Buckley Sandler  
Cleary Gottlieb  
Cooley  
Covington & Burling  
Cullen & Dykman  
DLA Piper  
Dewey & LeBoeuf  
Drinker Biddle  
Earthjustice  
Faegre Baker  
Frankfurt Kurnit  
Greenberg Traurig  
Haglund Kelley LLP  
Holland & Knight  
Jenner & Block  
Jones Day  
Katten Muchin  
King & Spalding  
Kirkland & Ellis  
Lawyers' Committee for Civil Rights  
LeClairRyan  
Mayer Brown  
Meyer Capel  
Morgan Lewis  
Morrison & Foerster  
Norton Rose Fulbright

CLV000791



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## EPA Sue-And-Settle Shift Foils Drilling Waste Deal, ND Says

U.S. Environmental Protection Agency Administrator Scott Pruitt's recent announcement that the agency would curb so-called sue-and-settle agreements boosts North Dakota's bid to appeal a consent decree in which the EPA agreed to review and potentially update drilling waste disposal rules, the state told the D.C. Circuit on Thursday. [Read more »](#)

## Enviros Slam Trump's Promise To Hatch To Shrink Bears Ears

In the wake of reports that President Donald Trump promised Republican Sen. Orrin Hatch, R-Utah, that he would shrink Bears Ears National Monument, environmental groups criticized the move and said they would sue if the president took action. [Read more »](#)

## 9th Circ. Urged To Call Off Extra Water For Threatened Fish

The federal government, two states, two tribes and others urged the Ninth Circuit on Thursday to overturn a lower court ruling that the government must boost water spill and monitoring at a series of dams along the Columbia and Snake rivers to help imperiled fish, arguing that an Oregon district judge abused his discretion in ordering the water releases. [Read more »](#)

## HEALTH & LIFE SCIENCES

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### 2 Alabama Abortion Laws Deemed Unconstitutional

An Alabama federal judge on Thursday found that state laws banning abortion clinics near schools and the most common method of second-trimester abortions are unconstitutional and permanently stopped them from going into effect. [Read more »](#)

### Judge Bars Emergency Rules On Nursing Home Generators

A Florida judge blocked emergency rules implemented after Hurricane Irma requiring nursing facilities to install backup generators, finding on Friday the state failed to prove a qualified emergency situation and the remedies could not be implemented by the Nov. 15 deadline. [Read more »](#)

## MEDIA & ENTERTAINMENT

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### FCC To Vote On Rolling Out Next-Gen TV Broadcasts

The Federal Communications Commission will vote next month on whether to allow broadcasters to begin using the next-generation TV broadcast standard, according to a draft item released late Thursday. [Read more »](#)

## INSURANCE

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### Analysis

### Biz Turns To Feds For Certainty On Automated Truck Rules

The commercial trucking industry is urging the federal government to draft performance and technical specifications for automated and connected trucks in order to preclude potentially conflicting rules from states, a preemptive move meant to lock in legal certainty surrounding the fast-evolving technology, experts say. [Read more »](#)

## EMPLOYMENT

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### Mass. Court OKs Rejecting Job-Seeker Over Conn. Polygraph

The Massachusetts Appeals Court held Friday that a state law blocking employers from subjecting applicants to lie detector tests does not forbid the city of Worcester

O'Melveny & Myers

Parker Hudson

Perkins Coie

Phillips & Cohen LLP

Quarles & Brady

Quinn Emanuel

Rutledge Ecenia

Schwabe Williamson

Seiger Gfeller

Seyfarth Shaw

Sidley Austin

Skadden

Squire Patton Boggs

Steptoe & Johnson LLP

Stoel Rives

Strasburger & Price

Stris & Maher

Sullivan & Cromwell

Thompson Coburn

Thompson Hine

Tyson & Mendes

Venable LLP

Wiley Rein

## COMPANIES

American Bar Association

American Civil Liberties Union

American Trucking Associations Inc.

Association of Corporate Counsel

BlackRock

Boston Scientific Corporation

CSP Inc.

Center for American Progress

Center for Strategic and International Studies

Chicago Bulls

Daimler AG

Digital Realty Trust Inc.

Expedia Inc.

F-Squared Investment

Management LLC

FCA US LLC

Facebook

FedEx Corporation

General Electric Company

Goldman Sachs Group Inc.

Google Inc.

HSBC Holdings PLC

International Game Technology PLC

Johnson & Johnson

Lawyers' Committee for Civil

CLV000792

from declining to hire a man based in part on a lie detector test he took when seeking employment in Connecticut. [Read more »](#)

COMPETITION

DOJ's Antitrust Chief Preaches Balance In First Speech

The recently confirmed head of the U.S. Department of Justice's Antitrust Division, Makan Delrahim, gave his first public remarks in his new role on Friday, saying the agency will strive to strike a balance between liberty and effective competition enforcement under his leadership. [Read more »](#)

Brazil's Antitrust Watchdog Finds Taxi Cos. Didn't Harm Uber

Brazil's antitrust watchdog on Friday announced the conclusion of an investigation into lawsuits, violence and threats against Uber drivers and their passengers by members of the taxi industry, finding insufficient evidence of anti-competitive conduct. [Read more »](#)

GOVERNMENT CONTRACTS

Zinke Denies Role In Puerto Rico Contract Amid FEMA Probe

Federal Emergency Management Agency officials on Friday said they would investigate the \$300 million contract Puerto Rico's municipal utility inked with a company from Secretary of Interior Ryan Zinke's hometown for repairing the island's hurricane-damaged electric grid, while Zinke angrily denied any involvement in the increasingly scrutinized deal. [Read more »](#)

Lawmakers Probe Mont. Energy Firm's Deal With Puerto Rico

Congressional leaders made their suspicions known Thursday about a \$300 million contract to restore Puerto Rico's power in the aftermath of Hurricane Maria, work that was awarded to a fledgling company from U.S. Secretary of Interior Ryan Zinke's hometown. [Read more »](#)

INTERNATIONAL TRADE

US, India Wrap High-Profile Trade Summit With Few Results

The U.S. and India have concluded their first Trade Policy Forum of the Trump administration without agreement on any major issues but with a commitment to "redoubling efforts" across all areas of trade policy cooperation at future meetings. [Read more »](#)

Brexit Prompts Belgium To Establish English-Language Court

The Belgian government on Friday said it will establish an English-speaking business court to handle an increase in cross-border cases from international companies in the wake of Brexit. [Read more »](#)

NATIVE AMERICAN

Texas AG Says Indian Child Welfare Act Is Unconstitutional

The state of Texas and a foster family have sued the U.S. government over a federal law they say unconstitutionally dictates rules for adoption and custody cases involving Native American children. [Read more »](#)

TAX

Analysis

IRS Neutrality May Suffer Under New IRS Head's Dual Role

Rights Under Law

- LeadingAge
- Lowe's Companies, Inc.
- Microsoft Corporation
- National Association of Broadcasters
- National Wildlife Federation
- Natural Resources Defense Council
- New York University
- Oil States International Inc.
- PepsiCo Inc.
- Raytheon Company
- SAP AG
- SIFMA
- Sam's Club
- Sierra Club
- TPG Capital
- Teva Pharmaceutical Industries Limited
- The Boeing Company
- Twitter Inc.
- U-Haul International Inc.
- U.S. Bancorp
- U.S. Chamber of Commerce
- Uber Technologies Inc.
- United Nations Commission on International Trade Law
- Westinghouse Electric Corp.

GOVERNMENT AGENCIES

- Army Corps of Engineers
- Bureau of Citizenship and Immigration Services
- Bureau of Indian Affairs
- Centers for Medicare & Medicaid Services
- Central Intelligence Agency
- Confederated Salish & Kootenai Tribes
- Congressional Research Service
- Department of Commerce
- Equal Employment Opportunity Commission
- European Union
- Executive Office of the President
- Federal Bureau of Investigation
- Federal Communications Commission
- Federal Deposit Insurance Corp.
- Federal Emergency Management Agency
- Federal Reserve System
- Financial Stability Oversight

The appointment of Treasury official David Kautter to the role of interim IRS Commissioner is raising concerns about how the revenue agency can remain neutral while he carries out his existing duties to guide politically directed tax policy changes. [Read more »](#)

### **Biz Tax Cuts Would Boost GDP, White House Study Says**

The White House on Friday released a report saying that changes to the corporate tax code under a framework pushed by congressional Republicans will boost the country's gross domestic product by 3 to 5 percent, though a nonpartisan think tank has said such measures could ultimately slow economic growth. [Read more »](#)

## **IMMIGRATION**

### **ACLU's Class Cert. Hopes For Detained Immigrant Teens Dim**

A California federal judge said Friday he's not inclined to certify a class of ACLU-represented immigrant teens who claim they're illegally detained in jail-like conditions and denied counsel based on unsubstantiated allegations of gang activity, but he said the government's "arrest first, ask questions later" practice may be unconstitutional. [Read more »](#)

### **Gov't Wrongfully Nixed Woman's DACA Renewal, Says ACLU**

The American Civil Liberties Union on Thursday told a Georgia federal court the Trump administration wrongfully revoked the Deferred Action for Childhood Arrivals status and work authorization for a Mexican native, and denied her request to renew her status in violation of her due process rights. [Read more »](#)

### **Challenge To Refugee Limits Allowed Into Travel Ban Case**

A D.C. federal judge agreed Friday to allow a brief into a travel ban case that challenges refugee restrictions against nine countries, despite the Trump administration claiming the groups bringing the suit hadn't followed the proper steps. [Read more »](#)

### **DHS Urged To Extend Protected Status For 3 Countries**

The U.S. Chamber of Commerce penned a letter Thursday asking the U.S. Department of Homeland Security to continue a designation known as "temporary protected status" for the countries of Haiti, Honduras and El Salvador, citing concerns about work authorization ending for employees. [Read more »](#)

## **TELECOMMUNICATIONS**

### **Lifeline Reforms Coming Down Pike In Nov., FCC Says**

The Federal Communications Commission revealed a series of wide-ranging reforms late Thursday, scheduled for consideration at the agency's November meeting, that are poised to alter the way Lifeline subsidy support is awarded and disbursed. [Read more »](#)

## **CONSUMER PROTECTION**

### **Texas Agriculture Dept. Asks AG To Weigh In On 'BBQ Bill'**

The Texas Department of Agriculture has asked the state's attorney general to weigh in on a debate over its interpretation of the "BBQ Bill," which exempts certain restaurants from requirements for commercial scales, after many criticized the department's interpretation of the new law as unfair to restaurants that take take-out orders. [Read more »](#)

## **WHITE COLLAR**

### **Whistleblower Protections Here To Stay, Expert Says**

Council  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
Kootenai Tribe of Idaho  
National Highway Traffic Safety Administration  
National Marine Fisheries Service  
National Security Council  
Nez Perce Tribe  
Occupational Safety and Health Administration  
Office of the Comptroller of the Currency  
Securities and Exchange Commission  
Texas Department of Agriculture  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House Committee on Energy and Commerce  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court

No matter how the U.S. Supreme Court rules on a closely watched case challenging the Dodd-Frank Act's ban on retaliation against whistleblowers, reprisals against employees who report internal violations of securities regulations will remain illegal, a white-collar attorney and former U.S. Securities and Exchange Commission official said Thursday. [Read more »](#)

### **NJ Lawmaker Sues AG For Docs In Whistleblower Case**

A New Jersey lawmaker sued Attorney General Christopher S. Porrino on Thursday in New Jersey state court in a bid for documents related to a settled whistleblower case filed by a former prosecutor who alleged he was fired for complaining that a public corruption indictment was dropped for political reasons. [Read more »](#)

## **PEOPLE**

### **US Atty Boente To Resign Once Trump Picks Replacement**

Dana Boente, the U.S. Attorney for the Eastern District of Virginia who has temporarily filled several high-level vacancies at the U.S. Department of Justice, announced on Friday that he will resign once his successor is confirmed. [Read more »](#)

### **Ex-Prosecutor Turned Twitter Pundit Jumps Into Ill. AG's Race**

A former federal prosecutor whose tweets explaining the law behind the investigation into potential ties between the Trump administration and Russia have made him a media darling will parlay his new status into a run for Illinois attorney general, he announced Thursday. [Read more »](#)

### **Trump Taps FedEx Safety Exec To Head OSHA**

President Donald Trump has picked a top FedEx safety official to serve as the next head of the Occupational Safety and Health Administration, the White House announced Friday. [Read more »](#)

## **EXPERT ANALYSIS**

### **Leveraged Loan Decision Could Have Broad Consequences**

The U.S. Government Accountability Office's recent finding that the federal banking agencies' 2013 interagency guidance on leveraged lending is a "rule" subject to the Congressional Review Act may greatly expand the scope of supervisory guidance that could be challenged, say attorneys with Cleary Gottlieb Steen & Hamilton LLP. [Read more »](#)

### **What Companies Should Know About TSCA Consent Orders**

The U.S. Environmental Protection Agency's use of consent orders under the Toxic Substances Control Act and the significant new use rules that follow are catching companies off guard as they cascade through the supply chain. Martha Marrapese of Wiley Rein LLP explains considerations that go into negotiating consent orders for new chemicals and the requirements that flow from them. [Read more »](#)

## **Opinion**

### **Despite Good Intentions, IPR Clashes With Hatch-Waxman**

Congress thought it was fixing the problem of patent trolls when it created the inter partes review process in 2011, but this law conflicts with the Hatch-Waxman Act. Congress should get rid of the IPR process and instead give the U.S. Patent and Trademark Office the tools it needs to issue only valid patents in the first place, says Anthony Caso of Chapman University. [Read more »](#)

### **Recipe For Legal Project Management: Look To BBQ Champs**

As a master certified barbecue judge with the Kansas City Barbeque Society, I have noticed that the top pitmasters follow a consistent process in approaching each and every competition. Their "secret sauce" — employing project management principles — can also help lawyers achieve success, says Anthony Rospert of Thompson Hine

LLP. [Read more »](#)

## LEGAL INDUSTRY

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### 5 Reasons Why Legal Depts Should Have Pro Bono Services

Although in-house counsel don't necessarily use pro bono work to increase business the way law firms do, experts say that legal departments should invest in the service not only because it's ethical, but also because there are both personal and career-building benefits from giving free legal support. Here, experts tell Law360 why corporate legal departments should take pro bono representation seriously. [Read more »](#)

### Top Dewey Cooperator Gets No Prison Time For Fraud

The former finance director of Dewey & LeBoeuf LLP and star cooperating witness in the two criminal trials of the failed law firm's top executives over a purported accounting fraud scheme was sentenced on Friday to no prison time, and instead was ordered to perform community service. [Read more »](#)

### Up Next At High Court: Filing Deadlines, Ch. 11 Cramdowns

The U.S. Supreme Court returns to the bench this coming week for the second oral argument session of the 2017-18 term, taking on a key question for plaintiffs who attach state law claims to lawsuits filed in federal court and a thorny legal issue for "cramdown" Chapter 11 bankruptcy proceedings. Here, Law360 highlights what to look out for. [Read more »](#)

### Uber Scores Tony West For General Counsel From PepsiCo

Uber Technologies Inc. has hired as its chief legal officer Tony West, general counsel of PepsiCo and a former senior Justice Department official. [Read more »](#)

### GC Cheat Sheet: The Hottest Corporate News Of The Week

The U.S. House of Representatives voted to restrict policymaking through settlements, the U.S. Supreme Court officially dismissed plans to hear the final challenge to an earlier version of President Donald Trump's travel ban, and the U.S. Securities and Exchange Commission's chair said the agency is looking to be more efficient and secure with its data. These are some of the top stories in corporate legal news you may have missed last week. [Read more »](#)

#### Podcast

### Law360's Pro Say: The High Court's Big Digital Privacy Cases

On the latest episode of Law360's Pro Say podcast, we're joined by Supreme Court veteran Andy Pincus who breaks down two big privacy cases the high court is hearing this term. We'll also discuss a copyright case over illegal downloading; offer updates to several stories from previous episodes; and weigh in on Johnny Depp's latest legal action - against his own lawyers. [Read more »](#)

### In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

#### **JOBS**

[Search full listings](#) or [advertise your job opening](#)

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#### LAW FIRMS

[Greenberg Traurig](#)

[Mayer Brown](#)

[Morrison & Foerster](#)

[Stoel Rives](#)

[Akerman](#)

[Arnold & Porter Kaye Scholer](#)

[Baker Botts](#)

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Baker Donelson  
Benesch Friedlander  
Bracewell  
Broad and Cassel  
Brown Rudnick  
Buckley Sandler  
Cleary Gottlieb  
Cooley  
Covington & Burling  
Cullen & Dykman  
DLA Piper  
Dewey & LeBoeuf  
Drinker Biddle  
Earthjustice  
Faegre Baker  
Frankfurt Kurnit  
Haglund Kelley LLP  
Holland & Knight  
Jenner & Block  
Jones Day  
Katten Muchin  
King & Spalding  
Kirkland & Ellis  
Lawyers' Committee for Civil Rights  
LeClairRyan  
Meyer Capel  
Morgan Lewis  
Norton Rose Fulbright  
O'Melveny & Myers  
Parker Hudson  
Perkins Coie  
Phillips & Cohen LLP  
Quarles & Brady  
Quinn Emanuel  
Rutledge Ecenia  
Schwabe Williamson  
Seiger Gfeller  
Seyfarth Shaw  
Sidley Austin  
Skadden  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Strasburger & Price  
Stris & Maher  
Sullivan & Cromwell  
Thompson Coburn  
Thompson Hine  
Tyson & Mendes  
Venable LLP  
Wiley Rein



## COMPANIES

American Civil Liberties Union  
Uber Technologies Inc.  
American Bar Association  
New York University  
Teva Pharmaceutical Industries Limited  
American Trucking Associations Inc.  
Association of Corporate Counsel  
BlackRock  
Boston Scientific Corporation  
CSP Inc.  
Center for American Progress  
Center for Strategic and International Studies  
Chicago Bulls  
Daimler AG  
Digital Realty Trust Inc.  
Expedia Inc.  
F-Squared Investment Management LLC  
FCA US LLC  
Facebook  
FedEx Corporation  
General Electric Company  
Goldman Sachs Group Inc.  
Google Inc.  
HSBC Holdings PLC  
International Game Technology PLC  
Johnson & Johnson  
Lawyers' Committee for Civil Rights Under Law  
LeadingAge  
Lowe's Companies, Inc.  
Microsoft Corporation  
National Association of Broadcasters  
National Wildlife Federation  
Natural Resources Defense Council  
Oil States International Inc.  
PepsiCo Inc.  
Raytheon Company  
SAP AG  
SIFMA  
Sam's Club  
Sierra Club  
TPG Capital  
The Boeing Company  
Twitter Inc.  
U-Haul International Inc.  
U.S. Bancorp  
U.S. Chamber of Commerce  
United Nations Commission on International Trade Law  
Westinghouse Electric Corp.

## GOVERNMENT AGENCIES

CLV000798

U.S. Department of Justice  
U.S. Supreme Court  
Securities and Exchange Commission  
Bureau of Citizenship and Immigration Services  
Government Accountability Office  
U.S. Department of Homeland Security  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
European Union  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Emergency Management Agency  
Federal Reserve System  
Food and Drug Administration  
Internal Revenue Service  
Occupational Safety and Health Administration  
U.S. Army  
U.S. Department of the Treasury  
U.S. Immigration and Customs Enforcement  
Army Corps of Engineers  
Bureau of Indian Affairs  
Centers for Medicare & Medicaid Services  
Central Intelligence Agency  
Confederated Salish & Kootenai Tribes  
Congressional Research Service  
Department of Commerce  
Equal Employment Opportunity Commission  
Executive Office of the President  
Federal Deposit Insurance Corp.  
Financial Stability Oversight Council  
Kootenai Tribe of Idaho  
National Highway Traffic Safety Administration  
National Marine Fisheries Service  
National Security Council  
Nez Perce Tribe  
Office of the Comptroller of the Currency  
Texas Department of Agriculture  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. House Committee on Energy and Commerce  
U.S. Patent and Trademark Office  
U.S. Senate



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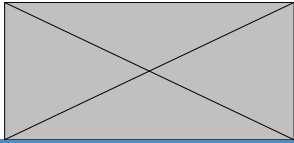
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CLV000800

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 5/8/2018 8:09:00 AM  
**Subject:** Attys Gird For Potential End Of H-4 Holders' Ability To Work



**PUBLIC POLICY.**

## LEX MACHINA - 2018 Top Law Firm Report for Select Federal Litigation

LEX MACHINA - 2018 Top Law Firm Report for Select Federal Litigation Law firm rankings across all of Lex Machina's practice area modules, including: patent, copyright, trademark, antitrust, securities, commercial, employment, product liability, and federal bankruptcy appeals, that reveals which firms have filed and defended the most cases.

**Tuesday, May 8, 2018**

### TOP NEWS

#### Analysis

#### **Attys Gird For Potential End Of H-4 Holders' Ability To Work**

Attorneys are bracing for proposed policy changes that could lead to the revocation of H-4 visa holders' ability to work in the U.S., trying to minimize disruption to their careers by pursuing alternative immigration options. [Read more »](#)

#### Analysis

#### **NJ Bill May Expose Cos. To Bigger Wrongful Death Verdicts**

A bill in the New Jersey Legislature that has seemingly found new momentum would permit damages in wrongful death actions for the emotional punch of losing a loved one, and some attorneys are raising worries of higher and unpredictable jury awards and increased insurance costs for businesses and other parties. [Read more »](#)

#### Analysis

#### **Employers Scrambling To Revisit Boilerplate Drug Policies**

James Reidy, chair of Sheehan Phinney Bass & Green PA's employment group, maintains a traditional practice that includes advising employers on wage laws and handling discrimination suits. But lately, one issue has been demanding more and more of his time: workplace drug policies. [Read more »](#)

#### **Senate Advances Trump's 5th Circ. Nominee**

The Senate took a step toward confirming President Donald Trump's fourth judge on the Fifth Circuit on Monday, sending U.S. District Judge Kurt D. Engelhardt through a procedural vote as part of a raft of judicial nominees this week. [Read more »](#)

#### **SEC Republican Commissioner Michael Piwowar To Step Down**

Michael Piwowar, a Republican member of the five-person U.S. Securities and Exchange Commission, said Monday he will step down in July or earlier if his replacement is appointed and sworn in before then. [Read more »](#)

#### Feature

#### **Zoning Change Could Stymie Hotel Construction In New York**

New York City wants to require new hotel projects in certain manufacturing zones to obtain a special permit as part of the city's effort to preserve existing properties and encourage more industrial construction, but lawyers on the lodging development side say the change would likely slow new hotel construction and may not jump-start

[Listen to our new podcast here](#)

#### **LAW FIRMS**

Adams and Reese  
Akin Gump  
Allen & Overy  
Allen Curry  
Alston & Bird  
Anderson Kill  
Archer & Greiner  
Archer Norris  
Arent Fox  
Armstrong Teasdale  
Arnold & Porter  
Axinn  
Babst Calland  
Baker Donelson  
Baker McKenzie  
Baker Sterchi  
BakerHostetler  
Balch & Bingham  
Banner & Witcoff  
Barclay Damon  
Barrasso Usdin  
Bass Berry  
BatesCarey LLP  
Begley Carlin  
Belkin Burden  
Bell Nunnally

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manufacturing. [Read more »](#)

## BANKING & SECURITIES

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### CFTC Pick Reports Earning Almost \$1.2M At WilmerHale

The co-chair of WilmerHale's futures and derivatives practice who was tapped for a spot in the U.S. Commodity Futures Trading Commission has filed a report with the U.S. Office of Government Ethics revealing he earned nearly \$1.2 million at the law firm in 2017 and the first few months of this year. [Read more »](#)

## ENERGY & ENVIRONMENTAL

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### Oil Cos., NYC Clash Over Viability Of Climate Change Suit

ExxonMobil, Chevron and ConocoPhillips exchanged legal fire with New York City on Friday over the Big Apple's lawsuit seeking to hold them and two other oil giants liable for climate change-related infrastructure damage, with the companies arguing the city is wrongly attempting to use courts to regulate fossil fuels. [Read more »](#)

### Enviros Can't Halt Idaho Logging Plan Over Trout Impact

An Idaho federal judge Friday shot down a bid by environmental groups to block two salvage logging projects in the Boise National Forest, affirming the federal government's assessment that the tree clearing would not have an impact on the threatened bull trout. [Read more »](#)

#### Analysis

### Pa. Pipeline Row Shows Enviro Rights Amendment Still Murky

A recently advanced effort to hold a Sunoco Inc. unit liable for violations of the Pennsylvania Constitution over a controversial pipeline project highlights what attorneys say is continued uncertainty around the so-called environmental rights amendment, which was reinvigorated by the state's Supreme Court last year. [Read more »](#)

### AGs Press EPA To Yank Scientific Review Process Overhaul

A coalition of eight Democratic attorneys general on Monday urged the U.S. Environmental Protection Agency to withdraw its recent proposal to require the publication of data underlying scientific studies that are considered in the regulatory process, saying that it is vague and rushed. [Read more »](#)

## HEALTH & LIFE SCIENCES

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### White House Argues To Rescind Some Health Care Spending

President Donald Trump intends to send more than \$15 billion in spending cuts to Congress this week, the White House said Monday, pulling back on already authorized spending in health care, technology research and other areas. [Read more »](#)

### DEA's Proposed Opioid Limits Meet Industry Resistance

Drugmakers, hospitals and health insurers are pushing back against the U.S. Drug Enforcement Administration's new plan to limit production of prescription opioids when illicit uses are suspected, warning that dangerous shortages may ensue. [Read more »](#)

## REAL ESTATE

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### Developers Angered By Ex-NY Pol's Atty Fee Cut, Jury Hears

Major league New York City real estate developers were incensed upon learning that former New York State Assembly Speaker Sheldon Silver was secretly taking a cut of legal fees they paid for tax work, jurors heard Monday, with one property

Benesch Friedlander  
Berger & Montague  
Bernstein Litowitz  
Berry Appleman  
Best Best & Krieger  
Binder & Schwartz  
Blank Rome  
Boies Schiller  
Bona Law PC  
Bowman and Brooke  
Bracewell  
Bradley Arant  
Brann & Isaacson  
Bressler Amery  
Britcher Leone  
Broad and Cassel  
Brown Rudnick  
Brownstein Hyatt  
Bryan Cave  
Buchanan Ingersoll  
Buckley King  
Burr & Forman  
Butler Rubin  
Cadwalader Wickersham  
Cahill Gordon  
Cantor Colburn  
Carlson Caspers  
Carlton Fields  
Carothers DiSante  
Cassin & Cassin  
Chamberlain Hrdlicka  
Chiesa Shahinian  
Clausen Miller  
Cleary Gottlieb  
Coblentz Patch  
Cole Schotz  
Colodny Fass  
Connell Foley  
Constangy Brooks  
Cooley  
Cowan DeBaets  
Cozen O'Connor  
Crowell & Moring  
Cunningham Meyer  
Curtin & Heefner  
Davis Brown  
Davis Graham  
Davis Saperstein  
Davis Wright Tremaine  
Day Pitney  
DeWitt Ross

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baron deeming the practice “unseemly.” [Read more »](#)

### **Fed. Circ. Nixes \$133M Award For Razed Dallas Terminal**

The Federal Circuit on Monday reversed a Court of Federal Claims decision ordering the government to pay the leaseholders of a demolished Dallas airport terminal \$133.5 million plus interest, saying the property’s destruction did not amount to a regulatory taking that would’ve warranted just compensation. [Read more »](#)

## **EMPLOYMENT**

### **NJ Can't Ding Disability Retirees For Missed Exams: Court**

A New Jersey appeals court handed a win Monday to a teachers union challenging regulations dictating the disability retirement process for certain state retirement systems, nullifying a rule that shifted the cost of later medical exams onto applicants if they missed an initial appointment. [Read more »](#)

### **10th Circ. Orders Fee Award Redo In Job Applicant Bias Case**

The Tenth Circuit on Monday ordered a Colorado federal judge to recalculate attorneys' fees that she awarded to a class of minority job applicants who won \$1.67 million in damages from the city and county of Denver for its use of a discriminatory screening test, finding that the lodestar calculation used was flawed. [Read more »](#)

### **DOL Declines To Scrap Fiduciary Rule Despite Invalidation**

The U.S. Department of Labor announced on Monday that financial advisers are free to continue relying on its now-invalidated, Obama-era fiduciary rule for the time being, though they won't be penalized if they stop. [Read more »](#)

## **COMPETITION**

### **House Reintroduces Bill To Align FTC, DOJ Merger Reviews**

After a previous version stalled last year, a new bill aimed at harmonizing the Federal Trade Commission and U.S. Department of Justice’s merger review procedures has been introduced and could be debated by the full House of Representatives later this week. [Read more »](#)

## **CYBERSECURITY & PRIVACY**

### **Prof Urges New Rules Amid Google, Facebook AI Profiles**

Regulators must develop new rules to ensure consumer privacy is protected given the huge amount of identifying data Google and Facebook collect, with artificial intelligence used to analyze that data and create personalized profiles, according to a paper from a University of Pennsylvania professor. [Read more »](#)

### **New NJ Cyber Unit To Take On Facebook Probe, Civil Actions**

A new unit in the New Jersey Attorney General’s Office will take over an ongoing investigation into the Facebook data-harvesting scandal and pursue civil actions over data privacy and cybersecurity violations that impact state residents, the office announced Monday. [Read more »](#)

## **GOVERNMENT CONTRACTS**

### **No Kickback Sanctions For Ostomy Samples, Watchdog Says**

A distributor of ostomy products can give free product samples to Medicare beneficiaries without running afoul of the Anti-Kickback Statute, the Office of Inspector General for the U.S. Department of Health and Human Services said in an advisory opinion released Monday. [Read more »](#)

Dechert  
Dentons  
Drinker Biddle  
Duane Morris  
Dykema Gossett PLLC  
Eversheds Sutherland  
Faegre Baker  
Farella Braun  
Fenwick & West  
Finnegan  
Fish & Richardson  
Fisher Phillips  
Fitch Even  
Fitzpatrick Cella  
Foley & Lardner  
FordHarrison  
Foster Pepper  
Franklin & Prokopik  
Frantz Ward  
Freeborn & Peters  
Fried Frank  
Fross Zelnick  
Gentry Locke  
Gibbons PC  
Gibson Dunn  
Goldberg Segalla  
Goldman Ismail  
Goodell DeVries  
Greenbaum Rowe  
Greenberg Glusker  
Greenberg Gross  
Greenberg Traurig  
Greensfelder Hemker  
Groom Law Group  
Gunderson Dettmer  
Gunster  
Hagens Berman  
Hanson Bridgett  
Harness Dickey  
Haynes and Boone  
Hill Wallack  
Hirschler Fleischer  
Hogan Lovells  
Holland & Hart  
Holland & Knight  
Holwell Shuster  
Howard & Howard  
Hueston Hennigan  
Hughes Hubbard  
Hunt Ortmann  
Hunton Andrews Kurth

## AEROSPACE & DEFENSE

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### Turkey Warns US Over Proposed Arms Sales Restrictions

Turkey on Sunday slammed a clause included in a preliminary version of the 2019 National Defense Authorization Act that would at least temporarily block U.S. arms sales to Turkey after it recently agreed to purchase missile batteries from Russia, threatening retaliation if the provision gets put into law. [Read more »](#)

### Trump Will Announce Iran Nuclear Deal Decision Tuesday

President Donald Trump will announce in a speech on Tuesday afternoon whether he intends to withdraw from the 2015 Iran nuclear deal, according to a tweet on Monday, after years of openly lambasting it. [Read more »](#)

## TAX

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### Tax Overhaul's Int'l Rules Promote Profit Shifting, Experts Say

The international provisions in the new U.S. tax law fail to live up to Republicans' promises that the legislation will boost domestic investment and manufacturing, according to a panel of experts speaking Monday at the Economic Policy Institute in Washington, D.C. [Read more »](#)

## IMMIGRATION

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### ICE Targeted Activists, FOIA Suit Says Seeking Records

U.S. Immigration and Customs Enforcement was hit Friday with a Freedom of Information Act suit in Washington federal court for allegedly withholding records relating to immigration activists and unlawfully targeting them for political speech. [Read more »](#)

### US Opposes Mexican Man's High Court Bid For Re-Entry

The U.S. Supreme Court should decline to hear the case of a Mexican native who alleges he was unlawfully deported after an immigration judge failed to inform him of all the relief he could seek, as the relief would have been based on discretion and not guaranteed by law, the federal government argued on Friday. [Read more »](#)

### Calif. Wants DOJ's Suit Against Sanctuary Policies Tossed

California Attorney General Xavier Becerra asked a federal judge on Friday to toss the Trump administration's suit challenging three of the state's sanctuary policies, arguing that they do not conflict with federal immigration laws and fall within its constitutional rights. [Read more »](#)

### DHS To Refer Unauthorized Border Crossers To Prosecutors

Attorney General Jeff Sessions announced Monday that the U.S. Department of Homeland Security is creating a new program to refer all unauthorized border crossers to the U.S. Department of Justice for prosecution, ramping up his previous "zero tolerance" enforcement policies along the U.S.-Mexico border. [Read more »](#)

## TELECOMMUNICATIONS

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### Think Tank Floats Net Neutrality Legislative Compromise

A technology think tank on Monday outlined a legislative compromise to end the "Net Neutrality war" by terminating utility-style regulation of broadband, barring the throttling of content but allowing restricted paid prioritization, and funding rural broadband deployment. [Read more »](#)

## EXPERT ANALYSIS

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Jones Walker  
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Kilpatrick Townsend  
King & Spalding  
Klasko Immigration Law Partners  
Knobbe Martens  
Koley Jessen  
Kramer Levin  
Labaton Sucharow  
Latham & Watkins  
LeClairRyan  
Lewis Brisbois  
Lief Cabraser  
Lightfoot Franklin  
Littler Mendelson  
Locke Lord  
Loeb & Loeb  
Lynn Pinker  
Manatt Phelps  
Marshall Gerstein  
Marzulla Law  
Maslon LLP  
Mayer Brown  
Maynard Cooper  
McDonald Carano  
McGlinchey Stafford  
McGuire Craddock  
McGuireWoods  
McManis Faulkner  
Meyers Nave  
Miles & Stockbridge  
Miller & Chevalier  
Miller Barondess  
Miller Starr

## What ABA's Position On Harassment Means For Employers

In the #MeToo era, the American Bar Association's recently passed Resolution 302 is a reminder of harassment policy best practices to all employers, and it should be of particular interest to employers in the legal industry, say attorneys with Hunton Andrews Kurth LLP. [Read more »](#)

### Series

## Judging A Book: Berzon Reviews 'We The Corporations'

My advice to prospective clerks will now include the suggestion that they read Adam Winkler's new book, "We the Corporations: How American Businesses Won Their Civil Rights," for the same reason I recommend taking a corporations course — appreciating the critical role of business corporations in American life and law, says Ninth Circuit Judge Marsha Berzon. [Read more »](#)

## HUD's Increased Use Of Split-Wage Decisions Is Troubling

The U.S. Department of Housing and Urban Development's Office of Davis-Bacon and Labor Standards has introduced a \$1 million cost threshold for assigning separate wage determinations. This threshold results in confusing, costly and administratively burdensome split-wage decisions on residential projects, says Christopher Ruhman of Peckar & Abramson PC. [Read more »](#)

## Capturing Carbon Tax Credits: A Climate Of Opportunity

A new law revising the current Internal Revenue Code Section 45Q carbon dioxide tax credit could deliver tens of millions of dollars per project in tax cuts for developers and investors in carbon removal, say attorneys from Morrison & Foerster LLP. [Read more »](#)

## Inside The New GMO Labeling Disclosure Proposal

Last week, the U.S. Department of Agriculture released its highly anticipated rule for labeling foods that contain genetically modified organisms, or "GMOs." The proposal suggests a sweeping national disclosure requirement and, given the variety of consumer perceptions of bioengineered foods, could generate debate over certain label ideas, say Robert Hibbert and Ryan Fournier of Morgan Lewis & Bockius LLP. [Read more »](#)

## The Impact Of Tax Reform On Film, TV And Print Media: Part 3

In this third installment of their series on how the tax overhaul impacts U.S. media companies, Bracewell LLP attorneys Michele Alexander and Ryan Davis look at how the international and domestic provisions intended to bring tax dollars home have affected media companies' decisions regarding foreign versus domestic production. [Read more »](#)

## LEGAL INDUSTRY

## NY AG Schneiderman Resigns After Report He Abused Women

New York Attorney General Eric Schneiderman announced his resignation late Monday night after The New Yorker reported that he'd subjected four previous romantic interests to "nonconsensual physical violence" including choking, hitting and threats to kill them if they broke up with him. [Read more »](#)

## Titan Of The Plaintiffs Bar: Bernstein Litowitz's Mark Lebovitch

Bernstein Litowitz Berger & Grossmann LLP's Mark Lebovitch helped reach a settlement in shareholder litigation over sexual harassment claims at 21st Century Fox that created the first corporate watchdog council — all while negotiating a \$290 million deal over Pershing Square's insider trading scandal, earning him a place among Law360's 2018 Titans of the Plaintiffs Bar. [Read more »](#)

## Bryan Cave Partner Accused Of Hiding Lab Hack From FTC

A cancer-screening lab embroiled in a long-running data dispute with the Federal Trade Commission has claimed in New York federal court that a Bryan Cave Leighton Paisner LLP partner directed a whistleblower to hide from the agency that he had hacked the lab's files with surveillance tools the partner had given to him

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O'Melveny & Myers  
Olshan Frome Wolosky  
Parker Poe  
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Patterson & Sheridan  
Patterson Belknap  
Paul Hastings  
Paul Weiss  
Peckar & Abramson  
Pepper Hamilton  
Perkins Coie  
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Pillsbury Winthrop  
Porter Hedges  
Porter Wright  
Reed Smith  
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Rivero Mestre LLP  
Rivkin Radler  
Roberts Markel  
Robins Kaplan  
Robinson & Cole  
Ropes & Gray  
Sanford Heisler  
Saul Ewing  
Schiff Hardin  
Schnader Harrison



before she joined the firm. [Read more »](#)

### **Law360 Names Attys Who Moved Up The Firm Ranks In Q1**

A promotion to partner or election to practice group chair means lots of well-deserved recognition within a firm and in the larger legal community. Law360 reveals the list of attorneys whose commitment to excellence earned them highly coveted spots in the law firm leadership ranks. Find out if your old legal friends — or rivals — moved up in the first quarter of the year. [Read more »](#)

#### **Interview**

### **15 Minutes With Mattress Firm's General Counsel**

Kindel Elam is living her dream, both physically and metaphorically, as executive vice president and general counsel of Mattress Firm. After eight years at Fulbright & Jaworski LLP, Elam decided she wanted to go in-house at the retail company. Mattress Firm, which had been her client since 2007, went public in 2011 and was looking to hire a general counsel. Here, she shared what keeps her up at night — besides her dog — and her advice to lawyers hoping to make a similar in-house transition. [Read more »](#)

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Sheppard Mullin  
Shipman & Goodwin  
Shook Hardy  
Shutts & Bowen  
Sideman & Bancroft  
Sidley Austin  
Simmons Hanly  
Siskind Susser  
Snell & Wilmer  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Stern & Kilcullen  
Sterne Kessler  
Stevens & Lee  
Stokes Lawrence  
Stradley Ronon  
Sullivan & Cromwell  
Sullivan & Worcester  
Susman Godfrey  
Swanson Martin  
Swartz Campbell  
Tarter Krinsky  
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Thompson Hine  
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Vorys Sater  
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Warshaw Burstein  
Weil Gotshal  
Weitz & Luxenberg  
White & Case  
White and Williams  
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#### COMPANIES

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Allergan PLC  
America's Health Insurance Plans  
American Airlines Group Inc.  
American Bar Association  
American Civil Liberties Union  
American Electric Power  
Company Inc.  
American Hospital Association  
American Medical Association Inc.  
Andreessen Horowitz LLC  
Apple Inc.  
BP p.l.c.  
Business Roundtable  
Chevron Corporation  
Citigroup Inc.  
ConocoPhillips  
Democratic National Committee  
Ennis Inc.  
Exxon Mobil Corporation  
Facebook  
Google Inc.  
Hobby Lobby Stores  
Inter IKEA Systems BV  
JPMorgan Chase & Co.  
Lockheed Martin  
Mattress Firm Holding Corp.  
Mortgage Bankers Association  
National Association of Home  
Builders  
New York Times Co.  
Pershing Square Capital  
Management LP  
Pfizer Inc.  
PhRMA  
Royal Dutch Shell PLC  
Southwest Airlines Co.  
Sunoco LP



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U.S. Chamber of Commerce  
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**GOVERNMENT AGENCIES**

Agricultural Marketing Service  
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Immigration Services  
Bureau of Labor Statistics  
Centers for Disease Control and  
Prevention  
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Dallas Fort Worth International  
Airport  
Delaware Court of Chancery  
Drug Enforcement Administration  
Equal Employment Opportunity  
Commission  
Executive Office for Immigration  
Review  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications  
Commission  
Federal Housing Administration  
Federal Trade Commission  
Financial Stability Oversight  
Council  
Fish and Wildlife Service  
Food and Drug Administration  
Internal Revenue Service  
NATO  
Native Village of Kivalina  
New Jersey Attorney General's  
Office  
New Jersey Judiciary Court  
System  
New Jersey Legislature  
New York Attorney General's  
Office  
New York State Assembly  
Nuclear Regulatory Commission  
Pennsylvania Supreme Court  
Securities and Exchange  
Commission  
Social Security Administration  
U.S. Customs and Border  
Protection  
U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Health and

Human Services  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Environmental Protection Agency  
U.S. Forest Service  
U.S. House Committee on Energy and Commerce  
U.S. Immigration and Customs Enforcement  
U.S. Office of Government Ethics  
U.S. Senate  
U.S. Supreme Court  
World Trade Organization

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Akin Gump  
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Allen Curry  
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Anderson Kill  
Archer & Greiner  
Archer Norris  
Arent Fox  
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Bass Berry  
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Belkin Burden  
Bell Nunnally  
Benesch Friedlander  
Berger & Montague  
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Berry Appleman  
Best Best & Krieger  
Binder & Schwartz  
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Bona Law PC  
Bowman and Brooke  
Bradley Arant  
Brann & Isaacson  
Bressler Amery  
Britcher Leone  
Broad and Cassel  
Brown Rudnick  
Brownstein Hyatt  
Bryan Cave  
Buchanan Ingersoll  
Buckley King  
Burr & Forman  
Butler Rubin  
Cadwalader Wickersham  
Cahill Gordon  
Cantor Colburn  
Carlson Caspers  
Carlton Fields  
Carothers DiSante  
Cassin & Cassin  
Chamberlain Hrdlicka  
Chiesa Shahinian  
Clausen Miller  
Cleary Gottlieb  
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Fried Frank  
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Gibbons PC  
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Goodell DeVries  
Greenbaum Rowe  
Greenberg Glusker  
Greenberg Gross  
Greenberg Traurig  
Greensfelder Hemker  
Groom Law Group  
Gunderson Dettmer  
Gunster  
Hagens Berman  
Hanson Bridgett  
Harness Dickey  
Haynes and Boone  
Hill Wallack  
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Husch Blackwell  
Irell & Manella  
Isaac Wiles  
Jackson Lewis  
Jackson Walker  
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Jenner & Block  
Jones Day  
Jones Walker  
K&L Gates  
Kacvinsky Daisak  
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Keker Van Nest & Peters  
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Kelley Kronenberg  
Kellogg Hansen  
Kennedys CMK  
Kesselman Brantly  
Kilpatrick Townsend  
Klasko Immigration Law Partners  
Knobbe Martens  
Koley Jessen  
Labaton Sucharow  
Latham & Watkins  
LeClairRyan  
Lewis Brisbois  
Lieff Cabraser  
Lightfoot Franklin  
Littler Mendelson  
Locke Lord  
Loeb & Loeb  
Lynn Pinker  
Marshall Gerstein  
Marzulla Law  
Maslon LLP  
Mayer Brown  
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Walder Hayden  
Walker Wilcox  
Warshaw Burstein  
Weil Gotshal  
Weitz & Luxenberg  
White & Case  
White and Williams  
Wick Phillips  
Wiggin and Dana  
Wilk Auslander  
Williams & Connolly  
Willkie Farr  
Winstead PC

Winston & Strawn  
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Wolf Greenfield  
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Apple Inc.  
Facebook  
21st Century Fox Inc.  
Allergan PLC  
America's Health Insurance Plans  
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American Bar Association  
American Civil Liberties Union  
American Electric Power Company Inc.  
American Hospital Association  
American Medical Association Inc.  
Andreessen Horowitz LLC  
BP p.l.c.  
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Democratic National Committee  
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Inter IKEA Systems BV  
JPMorgan Chase & Co.  
Lockheed Martin  
Mattress Firm Holding Corp.  
Mortgage Bankers Association  
National Association of Home Builders  
New York Times Co.  
Pershing Square Capital Management LP  
Pfizer Inc.  
PhRMA  
Royal Dutch Shell PLC  
Southwest Airlines Co.  
Sunoco LP  
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Federal Trade Commission  
Securities and Exchange Commission  
Bureau of Citizenship and Immigration Services  
Internal Revenue Service  
New York Attorney General's Office  
U.S. Customs and Border Protection  
U.S. Department of Labor  
U.S. Environmental Protection Agency  
U.S. Senate  
U.S. Supreme Court  
World Trade Organization  
Agricultural Marketing Service  
Bureau of Labor Statistics  
Centers for Disease Control and Prevention  
Commodity Futures Trading Commission  
Dallas Fort Worth International Airport  
Delaware Court of Chancery  
Drug Enforcement Administration  
Equal Employment Opportunity Commission  
Executive Office for Immigration Review  
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Federal Bureau of Investigation  
Federal Communications Commission  
Federal Housing Administration  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Food and Drug Administration  
NATO  
Native Village of Kivalina  
New Jersey Attorney General's Office  
New Jersey Judiciary Court System  
New Jersey Legislature  
New York State Assembly  
Nuclear Regulatory Commission  
Pennsylvania Supreme Court  
Social Security Administration  
U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
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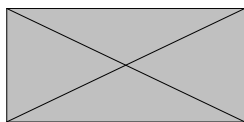
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**Sent:** Tue 11/15/2016 10:03:04 AM  
**Subject:** [Marketing Mail] US Tax Code Likely To Get First Major Facelift In 30 Years



**PUBLIC POLICY**

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**Tuesday, November 15, 2016**

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## TOP NEWS

### Analysis

#### **US Tax Code Likely To Get First Major Facelift In 30 Years**

Republican control of the White House and both chambers of Congress in January will put the GOP in a tenable position to pass significant tax reforms it has been pushing for years, such as lower corporate rates and a simpler tax code, experts say.

### Analysis

#### **How Immigration Attys Can Prep Clients For Trump Policies**

An era of heavy immigration enforcement is likely on its way under President Donald Trump, but attorneys can still help clients without legal status explore relief options like asylum and prepare them for the possible cancellation of the popular deferred deportation program. Here, experts share some strategies to prepare for the incoming Trump administration changes.

### Analysis

#### **DOL's Tip Pool Rule Poses Tough Decision For Restaurants**

The U.S. Department of Labor's tip pooling rule, which bars restaurants from requiring their wait staff to share tips with employees in the back of the house, may be facing legal challenges and a potential revisit from the Trump administration, but experts say that in the meantime restaurants are facing tough compliance choices.

#### **NATO Chief Urges Trump Not To Abandon Alliance**

The head of the North Atlantic Treaty Organization on Sunday tacitly urged President-elect Donald Trump to reconsider his stated antipathy to the NATO alliance, describing the partnership as "indispensable" to both Europe and the U.S. amid a deteriorating security environment.

### Analysis

#### **LinkedIn Boot Shows Russian Data Law Can't Be Brushed Off**

A Russian court's recent decision to ban LinkedIn from the country for allegedly violating strict data localization rules signals the law will be aggressively enforced even against businesses that only interact with Russians over the internet, leaving both multinationals and the new Trump administration to face difficult decisions about how to respond.

#### **SEC Chair White To Step Down When Obama Leaves Office**

U.S. Securities and Exchange Commission Chair Mary Jo White said Monday that she will leave the agency at the end of the Obama administration, concluding a tenure that saw the SEC extend its regulatory framework and demand greater accountability from wrongdoers.

### Analysis

#### **Campaign Cash Warning To Pa. Judges May Boost Recusals**

As the cost of campaigning for a seat on one of Pennsylvania's three statewide courts has exploded over the last decade, experts say new guidance urging judges

## LAW FIRMS

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Cravath Swaine  
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Duane Morris  
Edelson PC  
Epstein Becker Green  
Foley & Lardner  
Ford & Harrison  
Fox Rothschild  
Gibbons PC  
Gibson Dunn  
Goodwin  
Greenberg Traurig  
Hogan Lovells  
Hogan McDaniel  
Hughes Hubbard  
Jackson Lewis  
K&L Gates  
Kasowitz Benson  
Katten Muchin  
Kirkland & Ellis  
Labaton Sucharow  
Latham & Watkins  
Lawyers' Committee for Civil Rights  
Littler Mendelson  
Locke Lord

CLV000818

to be more sensitive to perceptions of bias in cases involving campaign donors could prompt a rash of recusals.

## **BANKING & SECURITIES**

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### **Muni Watchdog Detects 4 Market Risks For Retail Investors**

Retail investors in municipal bonds are potentially facing risks in disclosure practices, price fairness and transparency, types of ownership, and senior investor protection, the municipal bond market's regulatory body recently told the U.S. Securities and Exchange Commission.

### **Hong Kong Delays Rollout Of Derivatives Volatility Controls**

The owner of the Hong Kong Stock Exchange delayed a rollout scheduled Monday for a volatility control mechanism designed to restrain its derivatives markets from wild price swings, citing technical problems that require further testing.

#### **Analysis**

### **Big SEC Whistleblower Bounties Won't Change With Trump**

The U.S. Securities and Exchange Commission's whistleblower program is likely to continue its record-breaking streak, bolstered by a \$20 million award announced Monday, experts said, despite the newly elected Trump administration's threats to repeal the Dodd-Frank Act that created the program in 2011.

### **House, SEC Drop Health Care Subpoena Fight At 2nd Circ.**

The U.S. House Ways and Means Committee has dropped its Second Circuit appeal seeking to stop the U.S. Securities and Exchange Commission from subpoenaing a former staffer in a health care insider trading probe, putting to rest more than two years of litigation.

### **SEC OKs FINRA Rule Making It Easier To Toss Arbitrations**

The U.S. Securities and Exchange Commission signed off last week on a rule change to Financial Industry Regulatory Authority arbitrations that will make it easier for arbitrators to dismiss claims that have previously been adjudicated.

## **ENERGY & ENVIRONMENTAL**

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### **NJ Lawmakers Oppose Hazardous Waste Facility In Pa.**

New Jersey lawmakers on Monday advanced a resolution opposing a hazardous waste incinerator proposed for a Pennsylvania property across the Delaware River from several Garden State towns, citing the high probability of pollution and its potential impact on air and water quality.

#### **Analysis**

### **Texas Agency's Likely Renewal Will Sharpen Energy Oversight**

State lawmakers are expected to renew the Texas Railroad Commission following a 2017 review and pave the way for a slate of modest changes to improve monitoring and enforcement of its oil and gas production rules and enhance oversight of state pipelines, leaving behind years of contentious policy fights, experts say.

## **IP & TECHNOLOGY**

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### **DOJ Appeals Loss On BMI Music Rights Accord To 2nd Circ.**

The U.S. on Friday appealed to the Second Circuit a September decision in favor of Broadcast Music Inc. in its challenge to the U.S. Department of Justice's interpretation of 75-year-old antitrust settlements regarding the licensing of music performance rights.

## **MEDIA & ENTERTAINMENT**

Mayer Brown  
McCarter & English  
McElroy Deutsch  
McGuireWoods  
Milbank Tweed  
Miller Mayer  
Nossaman LLP  
Proskauer Rose  
Pryor Cashman  
Sanford Heisler  
Skadden  
Steptoe & Johnson LLP  
Stoel Rives  
Sutter Axland  
Taylor English  
White & Case  
WilmerHale

#### **COMPANIES**

A. O. Smith Corporation  
AbbVie Inc.  
Altera Corporation  
Amazon.com Inc.  
American Bar Association  
American Civil Liberties Union  
American Immigration Council  
American Society Of Composers  
Authors & Publishers  
Apple Inc.  
Bank of America Corporation  
Broadcast Music Inc.  
Delaware Riverkeeper Network  
Delphi Automotive PLC  
Essar Steel Minnesota  
FedEx Corporation  
Federation for American  
Immigration Reform  
Financial Industry Regulatory  
Authority Inc.  
Friedman LLP  
Frontier Communications  
Corporation  
Gilead Sciences Inc.  
Google Inc.  
Hong Kong Exchanges and  
Clearing  
IDEX Corporation  
International Brotherhood of  
Electrical Workers  
JPMorgan Chase & Co.  
Jockey International Inc.  
KPMG International  
Koch Industries Inc.

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## Five States Push High Court To Take NJ Sports Betting Case

Five states on Monday urged the U.S. Supreme Court to review a Third Circuit decision that shot down New Jersey's attempt to repeal sports betting prohibitions pertaining only to its casinos and horse racetracks, arguing the decision "fundamentally alters the nature of federal-state relations."

## TRANSPORTATION & INFRASTRUCTURE

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## NHTSA Puts Long Delayed 'Quiet Car' Sound Rule Into Effect

The National Highway Traffic Safety Administration on Monday announced that an audible sound requirement will be put on all new electric and hybrid light-duty vehicles, referred to as "quiet cars" because pedestrians often don't hear the vehicles approaching, in an effort to reduce injuries affecting those that rely more heavily on sound to detect oncoming cars.

## INSURANCE

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## Class Action Over Hep C Coverage Falls Flat, Colo. Says

The state of Colorado on Thursday said a Medicaid beneficiary doesn't have the right to bring a potential class action challenging the state's since-updated policies for denying coverage of hepatitis C medication, including AbbVie Inc.'s Technivie.

## EMPLOYMENT

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## Scrapping OT Regs Would Spike Employer Profits, CBO Says

Employers should expect to see a spike in profits totaling billions of dollars over the next six years if the U.S. Department of Labor's overtime expansion is halted before its forthcoming Dec. 1 implementation date, the Congressional Budget Office said Monday, while cautioning that workers would likely see a drop in pay.

## Christie Wants To Nix Benefits For Striking Workers

New Jersey Gov. Chris Christie has conditionally vetoed legislation that would give unemployment benefits to employees involved in labor disputes, recommending Monday that lawmakers remove striking workers from eligibility under the proposed law.

## COMPETITION

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## FTC Eyes Changes To Contact Lens Competition Rule

The Federal Trade Commission is seeking comments on two proposed changes to a rule that specifies what eye care sellers and prescribers must do to be in compliance with regulations relating to consumers and contact lenses.

## PRIVACY & CONSUMER PROTECTION

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## Trans Student Tells 6th Circ. To Deny Stay In Bathroom Row

The Sixth Circuit shouldn't stay an order requiring Ohio's Highland School District to let a transgender student use the bathroom that matches her gender identity while the school district appeals, because the girl's life and wellbeing are at risk without the court's protection, she told the appeals court Friday.

## GOVERNMENT CONTRACTS

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## Feds Clarify Sole-Source Contracting Justifications

Lawyers' Committee for Civil Rights Under Law  
Level 3 Communications Inc.  
Libbey Inc.  
LinkedIn Corp.  
Merck & Co Inc.  
Mexican American Legal Defense and Education Fund  
Microsoft Corporation  
Morgan Stanley  
National Association of Broadcasters  
National Collegiate Athletic Association  
National Restaurant Association  
New York Times Co.  
Nucor Corp.  
Orbitz Worldwide Inc.  
Planned Parenthood Federation  
PricewaterhouseCoopers  
QEP Resources Inc.  
Sierra Club  
Simon Property Group, Inc.  
Skype Technologies SA  
Spotify Technology SA  
Tenneco Inc.  
The Cato Corporation  
Toro Company  
Verizon Communications  
Washington Post Co.  
Windstream Corporation

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services  
Centers for Medicare & Medicaid Services  
Commodity Futures Trading Commission  
Congressional Budget Office  
Department of Commerce  
Executive Office of the President  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Reserve System  
Federal Trade Commission  
Government Accountability Office  
Immigration and Customs Enforcement  
Internal Revenue Service  
Municipal Securities Rulemaking

CLV000820

The Federal Acquisition Regulatory Council on Monday proposed a new rule meant to clarify exactly when and how contracting officials are to explain themselves when awarding a “sole-source” contract, meaning one given without full solicitation and open competition, for disadvantaged business awards exceeding \$22 million in value.

### **GAO Finds Flaw In Tool For Sifting Out Bad Gov’t Payments**

A system overseen by the Office of Management and Budget and the U.S. Department of the Treasury that is intended to prevent federal agencies from making improper payments fails to provide complete access to necessary databases, according to a U.S. Government Accountability Office report released Monday.

### **White House Wants Additional \$11.6B To Fight Islamic State**

The White House has asked Congress to approve an additional \$11.6 billion in federal funding for the campaign against the Islamic State group and to support the Afghan government, saying that the additional money is needed to help effectively defeat the militant organization.

## **INTERNATIONAL TRADE**

### **US Trade Policy 'A Guess' Under Trump, Ex-Trade Reps Say**

A pair of former U.S. Trade Representatives said Monday that the country’s foreign trade policy would be up in the air in the administration of President-elect Donald Trump, speculating that a protectionist United States could empower China to write international trade rules.

## **TAX**

### **Colo. Can't Appeal Case It Already Won, Retail Group Says**

Colorado’s victory in a dispute over tax-related reporting requirements for out-of-state retailers bars it from appealing to the U.S. Supreme Court to revisit a controversial 1992 ruling requiring retailers to have a physical presence in a state for the purpose of collecting sales and use taxes, according to a New York-based retail trade group.

### **IRS Defends Cost-Sharing Rule In Altera Row At 9th Circ.**

The IRS once again attacked a U.S. Tax Court decision scrapping its rule regarding stock-based compensation in cost-sharing agreements, telling the Ninth Circuit Thursday in a dispute with chipmaker Altera Corp. that the rule was the “product of reasoned decisionmaking.”

### **IRS Says Tea Party Suit Need Go No Further**

The IRS urged a D.C. federal court to dismiss outstanding claims from several conservative advocacy groups accusing the agency of discrimination and political bias, saying Friday that the agency has taken permanent actions to correct its conduct and render those claims moot.

## **BANKRUPTCY**

### **Former NJ AG Appointed To Steer Atlantic City's Finances**

Chiesa Shahnian & Giantomasi PC member Jeffrey S. Chiesa, New Jersey’s onetime attorney general and former chief counsel to Gov. Chris Christie, has been appointed to oversee Atlantic City’s fiscal recovery in the wake of the state’s rejection of a financial plan the struggling resort town hoped would save its autonomy.

### **Essar Steel Fights Minn. Permit Yank In \$2B Ch. 11 Battle**

A Minnesota attorney told a Delaware bankruptcy judge Monday that the North Star State never intended to tie up indefinitely the publicly owned iron ore rights on

Board

NAFTA

NATO

National Aeronautics and Space Administration

National Highway Traffic Safety Administration

National Telecommunications and Information Administration

Navajo Nation

Office of the U.S. Trade Representative

Pennsylvania Department of Environmental Protection

Securities and Exchange Commission

Small Business Administration

Social Security Administration

Transportation Security Administration

U.S. Agency for International Development

U.S. Department of Defense

U.S. Department of Education

U.S. Department of Homeland Security

U.S. Department of Housing and Urban Development

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of Veterans Affairs

U.S. Department of the Treasury

U.S. General Services Administration

U.S. House of Representatives

U.S. Senate

U.S. Supreme Court



thousands of acres with an unfinished \$2 billion mine and mill venture now claiming a Chapter 11 shield against default claims.

## IMMIGRATION

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### **Mayor: Chicago To Stay Sanctuary City Amid Trump Plans**

Chicago Mayor Rahm Emanuel said Monday the city will remain a sanctuary for immigrants, despite President-elect Donald Trump's plans to deport or jail 2 million to 3 million people who are in the country illegally.

### **Immigrant Bonds Should Be Tied To Ability To Pay: Judge**

A California federal judge has certified a class of immigrants challenging the government's process for setting cash bonds in detention cases and ordered judges to consider the immigrants' ability to pay bond when setting amounts.

### **USCIS Releases Revamped Work Authorization Form**

U.S. Citizenship and Immigration Services on Monday issued a new version of the Form I-9, a work authorization form used by employers that now has informational prompts and room for providing extra information.

## NATIVE AMERICAN

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### **Navajo Group Says County Exec Can't Trim Voting Rights Row**

The Navajo Nation Human Rights Commission urged a Utah federal court Friday not to let a San Juan County commissioner escape part of a lawsuit challenging the county's predominantly mail-in voting system as detrimental to Navajo citizens.

## TELECOMMUNICATIONS

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### **House Passes Anti-Spoofing, Rural Calling Bills**

The U.S. House of Representatives passed a pair of telecommunications quality and consumer protection bills Monday, its first day back since the election, providing more protections against caller ID spoofing in text messages and for rural call quality.

### **Directors Guild Presses FCC To Release Set-Top Plan**

A Directors Guild of America representative on Thursday urged the Federal Communications Commission to release to the public a proposal to unlock the consumer television set-top box market, saying that a fact sheet on the plan does not address concerns from programming copyright holders.

### **Level 3 Says FCC Empowered To Limit Nat'l Security Reviews**

Level 3 Communications has told the Federal Communications Commission it has the authority to set time limits on national security reviews of broadcast transactions involving foreign ownership, saying it can consider concerns but has the freedom to set deadlines, according to a filing posted publicly Monday.

### **Frontier Lobbies FCC Chief Over Harm From Rate Regs**

The CEO of Frontier Communications Corp. has pushed Federal Communications Commission Chairman Tom Wheeler to ensure new regulations proposed for the business data services market do not harm mid-size, older carriers, warning that jobs and connectivity could otherwise be endangered.

### **NY Wants Quick FCC Approval Of Rural Broadband Funds**

Representatives from New York state urged the Federal Communications Commission last week to expedite approval of a petition to deploy \$170.4 million in federal funding to build out rural broadband infrastructure in the state.

### What To Expect From The New Senate

A word of caution to our fellow Republicans — one lesson learned from President Obama's first two years in office is that pushing through partisan legislation could come back to haunt a party and a presidency, say former Sen. Kay Bailey Hutchison, R-Texas, and Curt Beaulieu of Bracewell LLP.

### Opening Up Libel Laws Would Test 1st Amendment

In an era when terms like "libel" and "slander" are increasingly used, and the broad and nebulous term "media" is becoming a convenient scapegoat for all of society's social ills, the possibility that someone may seriously consider a subsidy to bring defamation suits against the media — as President-elect Trump suggested while on the campaign trail — "dampens the vigor and limits the variety of public debate," say Ehren Fournier and Adam Losey of Foley & Lardner LLP.

### Immigration Predictions Under A Trump Presidency

Among other campaign promises, President-elect Donald Trump boasted that he would deport those living in the U.S. illegally and build a wall along the U.S.-Mexico border. As president, will Trump stick to these promises, and even if he has a will to do so, does he have a way? Becki Young, co-founder of Hammond Young Immigration Law LLC, discusses what to expect from Trump's immigration policies over the next four years.

### Considerations When Hiring Legislative Branch Employees

With the 114th Congress drawing to a close, private and nonprofit sectors can soon recruit seasoned professionals with recent congressional experience. However, without appropriate controls this process can create legal and reputational risks for prospective employers and employees alike, say attorneys at WilmerHale.

### How US Federal Elections Will Impact US-China Relations

Taking President-elect Trump at his word, the global trading system in general, and U.S.-China relations in particular, is about to hit a rocky four-year stretch, say Bruce Heiman and Stacy Ettinger of K&L Gates LLP.

### OPINION: Goodness First, Then Greatness

For many, the United States missed an opportunity after 9/11 to emphasize similarities rather than differences, to seek healing rather than punishment, to build understanding between cultures. Is Trump's election another such opportunity? asks Kevin Curnin, president-elect of the Association of Pro Bono Counsel.

## LEGAL INDUSTRY

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### Chadbourne Says Attys In Bias Suit Not Employees

A pair of lawyers with a \$100 million proposed class action accusing Chadbourne & Parke LLP of discriminating against them and other female partners are or were Chadbourne shareholders and have no right to sue their own business under employment discrimination laws, the firm said on Monday.

### Carlton Fields Attorney Dies In Scuba Diving Accident

A Carlton Fields attorney who worked in the firm's Tampa, Florida, office died Sunday from injuries believed to be related to a scuba diving incident over the weekend in the Gulf of Mexico, according to the Pinellas County Sheriff's Office.

### 4 Ways Firms Can Be More Tech-Forward

Law firms looking to take advantage of the most advanced technology for ease of workflow and productivity may not have to look very far, given the proliferation of new products and software on the market, but industry experts say firms need to foster an environment that allows for innovation.

### How To Know When It's Time To Go In-House



If you've ever toyed with the idea of taking a law department gig, you've probably also wondered whether it will serve your career better to flee BigLaw the first chance you get or wait it out. Here are some milestones that can tell you when the time is right to make the in-house jump.

### **Rainmaker Q&A: Latham & Watkins' Mark Gerstein**

One skill most important for becoming a rainmaker is the confidence that allows you to go into any pitch with the expectation that you will win it, and treating those you lose not as a personal loss, but simply part of the business, says Mark Gerstein, a global chairman of Latham & Watkins' mergers and acquisitions practice.

### **Rainmaker Q&A: Nossaman's Yuliya Oryol**

While practicing law in South Korea I continued to work full-time while pregnant with both of my daughters. It was challenging to pitch work as a non-Korean speaking, Russian-American woman, working in a mostly male Asian business culture. In fact, I was regularly the only woman in the room, says Yuliya Oryol, co-chairwoman of the public pensions and investments practice group at Nossaman LLP.

## **JOBS**

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Labaton Sucharow  
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Lawyers' Committee for Civil Rights  
Littler Mendelson  
Locke Lord  
McCarter & English  
McElroy Deutsch  
McGuireWoods  
Milbank Tweed  
Miller Mayer  
Nossaman LLP  
Proskauer Rose  
Pryor Cashman  
Sanford Heisler  
Steptoe & Johnson LLP  
Stoel Rives  
Sutter Axland  
Taylor English  
White & Case  
WilmerHale

#### COMPANIES

American Civil Liberties Union  
Google Inc.  
Sierra Club  
Verizon Communications  
A. O. Smith Corporation  
AbbVie Inc.  
Altera Corporation  
Amazon.com Inc.  
American Bar Association  
American Immigration Council  
American Society Of Composers Authors & Publishers  
Apple Inc.  
Bank of America Corporation  
Broadcast Music Inc.  
Delaware Riverkeeper Network  
Delphi Automotive PLC  
Essar Steel Minnesota  
FedEx Corporation  
Federation for American Immigration Reform  
Financial Industry Regulatory Authority Inc.  
Friedman LLP  
Frontier Communications Corporation  
Gilead Sciences Inc.  
Hong Kong Exchanges and Clearing  
IDEX Corporation

International Brotherhood of Electrical Workers  
JPMorgan Chase & Co.  
Jockey International Inc.  
KPMG International  
Koch Industries Inc.  
Lawyers' Committee for Civil Rights Under Law  
Level 3 Communications Inc.  
Libbey Inc.  
LinkedIn Corp.  
Merck & Co Inc.  
Mexican American Legal Defense and Education Fund  
Microsoft Corporation  
Morgan Stanley  
National Association of Broadcasters  
National Collegiate Athletic Association  
National Restaurant Association  
New York Times Co.  
Nucor Corp.  
Orbitz Worldwide Inc.  
Planned Parenthood Federation  
PricewaterhouseCoopers  
QEP Resources Inc.  
Simon Property Group, Inc.  
Skype Technologies SA  
Spotify Technology SA  
Tenneco Inc.  
The Cato Corporation  
Toro Company  
Washington Post Co.  
Windstream Corporation

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Communications Commission  
Securities and Exchange Commission  
Bureau of Citizenship and Immigration Services  
Executive Office of the President  
Immigration and Customs Enforcement  
Internal Revenue Service  
NAFTA  
Federal Bureau of Investigation  
Government Accountability Office  
U.S. Department of Defense  
U.S. Department of Labor  
U.S. Department of State  
U.S. Senate  
Centers for Medicare & Medicaid Services  
Commodity Futures Trading Commission  
Congressional Budget Office  
Department of Commerce

Federal Acquisition Regulatory Council  
Federal Reserve System  
Federal Trade Commission  
Municipal Securities Rulemaking Board  
NATO  
National Aeronautics and Space Administration  
National Highway Traffic Safety Administration  
National Telecommunications and Information Administration  
Navajo Nation  
Office of the U.S. Trade Representative  
Pennsylvania Department of Environmental Protection  
Small Business Administration  
Social Security Administration  
Transportation Security Administration  
U.S. Agency for International Development  
U.S. Department of Education  
U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of Veterans Affairs  
U.S. Department of the Treasury  
U.S. General Services Administration  
U.S. House of Representatives

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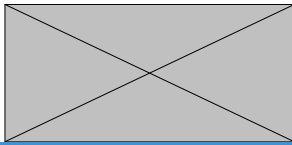
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**From:** Public Policy Law360  
**Sent:** Tue 5/23/2017 8:39:57 AM  
**Subject:** [Marketing Mail] Trump's \$4T Budget Pays For Defense With Domestic Cuts



**PUBLIC POLICY.**

## WEBINAR on 5/31: Debevoise's Mary Jo White & Andrew Ceresney

Insight on Recent Trends and Coming Change at the SEC – Register Now

**Tuesday, May 23, 2017**

### TOP NEWS

#### Trump's \$4T Budget Pays For Defense With Domestic Cuts

President Donald Trump's first full budget plan doubles down on promised increases in defense and border security spending, paid for by billions of dollars in cuts to Medicaid, federal retiree benefits, the U.S. Environmental Protection Agency and the Department of Energy, among other programs and agencies. [Read more »](#)

#### Pruitt Appoints Task Force To Speed Up Superfund Process

U.S. Environmental Protection Agency Administrator Scott Pruitt on Monday said he's creating a Superfund task force made up of agency professionals to rehabilitate polluted sites more quickly and make the process easier for companies. [Read more »](#)

#### Rep. Blackburn Files Bill To Return Privacy Rules To FTC

U.S. Rep. Marsha Blackburn has introduced a bill that would return online privacy regulation to the purview of the Federal Trade Commission and dictate that both internet service providers and online companies must give consumers opt-in or opt-out options for sharing "sensitive user information." [Read more »](#)

#### Analysis

#### Retroactive Tax Laws Muddying Businesses' Future Decisions

The U.S. Supreme Court's refusal to review seven cases challenging the backdated application of amended state tax laws leaves businesses in the precarious position of not being able to confidently structure their operations based on either current statutes or earlier court victories. [Read more »](#)

#### Analysis

#### 5 Key Debates Over FDA's Interchangeable-Biosimilar Views

Top drugmakers are battling to shape the U.S. Food and Drug Administration's crucial guidance on how biosimilars can be deemed interchangeable with innovator biologics, newly released letters show. Here are five key debates on approval standards, naming and labeling. [Read more »](#)

#### Analysis

#### 3 Things To Watch In The Next FAA Reauthorization Bill

As Congress gets ready to negotiate long-term funding for the Federal Aviation Administration in what could be the first major FAA reauthorization bill in five years, industry stakeholders will be watching to see how lawmakers handle a few key issues, from a proposal to privatize air traffic control to consumer protection

### LAW FIRMS

Andrews Kurth Kenyon  
Baker Botts  
Bayard PA  
Berger & Montague  
Caldwell Cassady  
Chamberlain Hrdlicka  
Connors LLP  
Cotchett Pitre  
Covington & Burling  
Cravath Swaine  
Crowell & Moring  
DLA Piper  
Dinsmore & Shohl  
Earthjustice  
Gibson Dunn  
Goodwin  
Graham & Dunn  
Gruber Elrod  
Haynes and Boone  
Hinshaw & Culbertson  
Hodgson Russ  
Hogan Lovells  
Honigman Miller  
Hughes Hubbard  
Hughey Law Firm LLC  
Husch Blackwell  
Jackson Walker  
Jenner & Block  
Keker Van Nest & Peters  
Konicek & Dillon  
Lankler Siffert  
Lewis Brisbois  
Lipsitz Green

CLV000828

concerns. [Read more »](#)

#### Analysis

### DC Circ. Could Punt On CFPB Constitutionality Question

The D.C. Circuit is set to hear arguments Wednesday in a case that could reshape the Consumer Financial Protection Bureau, but experts say the court could instead choose to answer a less fraught question about the bureau's interpretation of a fair lending law. [Read more »](#)

## AEROSPACE & DEFENSE

### Trump DOD Budget 'Basically The Obama Approach': Rep.

Despite President Donald Trump's campaign promises to rebuild the military, his proposed \$603 billion base defense budget is largely in line with that of his predecessor, the head of the House Armed Services Committee said Monday, pushing for \$37 billion more. [Read more »](#)

## BANKING & SECURITIES

### CFTC Says Rule Changes Will Improve Whistleblower Program

The U.S. Commodity Futures Trading Commission approved changes to its whistleblower award program on Monday to prevent confidentiality agreements from getting in the way of tips, to give tippers more time to seek a reward, and to make more information eligible for more payouts. [Read more »](#)

### CBO Says CHOICE Act Would Cut Deficit By \$24B

A government spending watchdog said Friday that primarily smaller banks would benefit from a Republican bill that would functionally repeal the Dodd-Frank Act, and that the bill would reduce the deficit by around \$24 billion over 10 years. [Read more »](#)

#### Analysis

### Wells Fargo Suit Heralds Philly's New Enforcement Focus

A recent lawsuit accusing Wells Fargo & Co. of racially discriminatory lending practices is the first of what Philadelphia's new city solicitor says are a string of cases he's eyeing as he looks to make good on a pledge to recast his department as a muscular public interest law firm. [Read more »](#)

### No-Admit Settlements Undercut Accountability, Paper Says

A new research paper suggests the no-admit, no-deny settlements commonly used in civil enforcement actions by agencies like the U.S. Securities and Exchange Commission can undermine accountability, and that both federal agencies and their targets could benefit from requiring more admissions. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Trump Picks La. Energy Official For Offshore Drilling Post

The Trump administration on Monday tapped a Louisiana utility official and former Republican gubernatorial candidate to be the top U.S. offshore drilling regulator, adding another fossil fuel development backer to the Department of the Interior. [Read more »](#)

### No Need For Direct Appeal In Kids' Climate Suit, Enviros Say

There's no valid reason to ignore a magistrate's recommendation to deny the federal government's bid to certify questions for appellate review in a youth-driven climate change suit, an Oregon federal judge heard Friday. [Read more »](#)

### 5th Circ. Lets Nevada Join Texas Suit Over Yucca Mountain

The Fifth Circuit on Friday said the state of Nevada could intervene in Texas' suit

Mayer Brown  
McElroy Deutsch  
McKool Smith  
Miller Canfield  
Miller Nash  
Morgan Lewis  
Morrison & Foerster  
Nicoletti Gonson  
Niedweske Barber  
O'Connell & Aronowitz  
Pillsbury Winthrop  
RJS Law  
Reed Smith  
Schulte Roth  
Sidley Austin  
Siebman Burg  
Silverstein & Pomerantz  
Skadden  
Steptoe & Johnson LLP  
Stris & Maher  
Tucker Ellis  
Vladeck Raskin  
Weiner Brodsky  
White and Williams  
Wilson Elser  
Winston & Strawn

#### COMPANIES

Airbnb Inc.  
American Airlines Group Inc.  
American Bar Association  
American Civil Liberties Union  
American Federation of Government Employees  
American Federation of State, County and Municipal Employees  
Amgen Inc.  
Apple Inc.  
Associated Press  
Bank of America Corporation  
Barclays PLC  
Business Insider Inc.  
Center for Science in the Public Interest  
Citigroup Inc.  
Coherus BioSciences Inc.  
Competitive Power Ventures Holdings LLC  
Delaware State Bar Association  
Devon Energy Corporation  
Dot Foods Inc.  
Environmental Defense Fund Inc.  
Expedia Inc.

CLV000829

over the federal government's failure to complete the licensing process for a nuclear waste storage repository at Nevada's Yucca Mountain, which Nevada vehemently opposes. [Read more »](#)

### Sen. Demands Info From Pruitt On Recent EPA Enforcement

Democratic Senator Tom Carper on Saturday asked EPA chief Scott Pruitt to hand over information related to the agency's enforcement record, sparked by a recent New York Times report that Devon Energy backtracked on its willingness to remedy air pollution violations less than a week after Pruitt took over the agency. [Read more »](#)

## HEALTH & LIFE SCIENCES

### High Court Won't Review La. Nursing Board Antitrust Suit

The U.S. Supreme Court declined Monday to review a Fifth Circuit decision finding the Louisiana State Board of Nursing was immune from an antitrust suit by a former Grambling State University nursing student whose program was shut down. [Read more »](#)

### Ill. Appeals Court OKs Medical Marijuana For Post-Op Pain

An Illinois appeals court on Monday affirmed a trial court's finding that the director of the state's Department of Public Health broke the department's own rules when he unilaterally denied an unnamed man's petition to add chronic postoperative pain to the list of diseases the state's medical marijuana law covers. [Read more »](#)

## REAL ESTATE

### HomeAway Sues Chicago Over Short-Term Rental Ordinance

HomeAway.com on Monday filed a federal lawsuit seeking to keep the city of Chicago and its consumer protection bureau from enforcing a new ordinance the vacation rental marketplace said violates federal law and the U.S. Constitution by unclearly and unfairly regulating its platform. [Read more »](#)

## EMPLOYMENT

### OSHA Delays Workplace Injury Reporting Requirement

The U.S. Department of Labor's Occupational Safety and Health Administration has said it will delay a record keeping and reporting requirement that calls on employers to electronically submit information about workplace injuries and illnesses. [Read more »](#)

### NJ Accused Of Racial Bias In Denying Deputy AG Promotions

The state of New Jersey has been hit with a discrimination lawsuit in state court from three current and former deputy attorneys general alleging that, because they are African-American, they were denied promotions within a culture of "institutional racism." [Read more »](#)

## PRIVACY & CONSUMER PROTECTION

### \$60M Citibike No-Helmet Negligence Row Settles Before Trial

New York City and Citibike have settled a rider's \$60 million negligence lawsuit that was scheduled to go before a jury Monday, avoiding a trial that would have explored potentially uncomfortable questions about the city's decision not to require bike-sharers to don helmets. [Read more »](#)

## PRODUCT LIABILITY

## Facebook

Generic Pharmaceutical Association Inc.

Goodyear Tire & Rubber Co.

Google Inc.

Grant Thornton LLP

HomeAway Inc.

International Brotherhood of Teamsters

International Business Machines Corporation

JPMorgan Chase & Co.

Johnson & Johnson

LinkedIn Corp.

Mattel, Inc.

Merck & Co Inc.

Morgan Stanley

National Air Traffic Controllers Association

National Basketball Association

National Collegiate Athletic Association

New York City Bar Association

New York State Bar Association

New York Times Co.

Nuclear Energy Institute

PHH Corporation

Pew Charitable Trusts

Porsche

Royal Dutch Shell PLC

Smith & Wesson Holding Corporation

Snap Inc.

Sonoco Products Co.

T-Mobile USA Inc.

The DIRECTV Group, Inc.

The Walt Disney Company

Turner Broadcasting System Inc.

U.S. Chamber of Commerce

United Continental Holdings Inc.

Vonage Holdings Corp.

Wells Fargo & Co.

West Corp.

## GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Citizenship and Immigration Services

Bureau of Labor Statistics

Bureau of Safety and Environmental Enforcement

Commodity Futures Trading Commission

Congressional Budget Office

CLV000830



## Consumer Groups Say FDA Dodging Food Safety Duty

A number of consumer, health and food safety groups on Monday hit the U.S. Food and Drug Administration with a suit in New York federal court accusing it of shirking its responsibility for food safety by allowing food manufacturers to self-certify that certain additives are safe for consumption. [Read more »](#)

## GOVERNMENT CONTRACTS

### Contractors Back GSA Official On Optional Data Reports

The head of a federal contractor industry group has praised the U.S. General Services Administration after a GSA official recently suggested the agency would make its contentious Transactional Data Reporting requirement voluntary, not mandatory. [Read more »](#)

### Reps. Want Docs In Alleged Iraq Contractor Misconduct Case

The leaders of the House Oversight and Government Reform Committee on Friday asked defense contractor Sallyport Global Holdings to hand over documents to the committee, citing concerns stemming from a recent media report accusing the company of fraud, aiding human trafficking and other misconduct on a Iraq base security contract. [Read more »](#)

### Ex-Cuomo Aide Says Campaign Work Off Limits In Graft Case

A former top aide to New York Gov. Andrew Cuomo has asked a Manhattan federal judge to toss a graft case against him, arguing that public corruption statutes didn't apply while he was working on Cuomo's re-election campaign. [Read more »](#)

## TAX

### High Court Nixes Challenge To Backdated Mich. Tax Law

A backdated legislative change in Michigan that knocked out anticipated tax refunds for a number of corporations, including IBM, Gillette and Goodyear, will remain in place after the U.S. Supreme Court on Monday decided against reviewing the companies' constitutional concerns over the change. [Read more »](#)

### Wash. Court Backs T-Mobile, Says Seattle Can't Tax Roaming

A Washington state appeals court on Monday upheld earlier rulings in favor of T-Mobile West Corp. that Seattle may not charge licensing taxes on company revenue derived from international roaming charges. [Read more »](#)

## IMMIGRATION

### Haiti Gets 6-Month Extension On Temporary Protected Status

The U.S. Department of Homeland Security on Monday said that it is extending the temporary protected status designation of Haiti by six months, saying that the extension should give Haitian TPS recipients in the U.S. enough time to arrange their departure from the country and help the Haitian government prepare to repatriate them. [Read more »](#)

### DOJ Defends Sanctuary Cities Order With New Interpretation

The Trump administration asked a California federal judge Monday to reconsider a decision blocking its executive order over withholding funding from so-called sanctuary cities in the wake of a new interpretation that narrows any affected grants to those from the Departments of Justice and Homeland Security, saying the new guidance erases constitutional concerns. [Read more »](#)

### Trump Refused To Turn Over Travel Ban Memo, ACLU Says

The American Civil Liberties Union railed against the White House on Saturday for allegedly neglecting to surrender a memo drafted by former New York Mayor Rudy

Consumer Financial Protection Bureau

European Union

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Law Enforcement Training Center

Federal Reserve System

Federal Trade Commission

Food and Drug Administration

Illinois Supreme Court

Internal Revenue Service

Judicial Conference of the United States

Michigan Department of Treasury

National Institutes of Health

New Jersey Attorney General's Office

Nuclear Regulatory Commission

Occupational Safety and Health Administration

Pennsylvania Supreme Court

Securities and Exchange Commission

Texas Attorney General's Office

Transportation Security Administration

U.S. Army

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Housing and Urban Development

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. General Services Administration

U.S. Immigration and Customs Enforcement

U.S. Supreme Court

World Bank Group



Giuliani outlining President Donald Trump's controversial travel ban accused of targeting Muslim-majority countries, demanding that a Michigan federal court once again compel the administration to do so. [Read more »](#)

### **Calif. Atty And Her Father Hit With Suit From EB-5 Investors**

A group of Chinese nationals has filed suit in California state court against an attorney and her father, saying they were "innocent victims of the fraudulent scheme" of the pair, who have been accused by the FBI of exploiting the EB-5 immigrant investor program. [Read more »](#)

## **EXPERT ANALYSIS**

### **The FX Global Code And Its Enforcement: What To Expect**

With the second phase of the Foreign Exchange Global Code releasing this week, Matthew Kulkin and Micah Green of Steptoe & Johnson LLP analyze how U.S. courts have historically looked to or relied upon financial services global codes of conduct or industry best practices documents. [Read more »](#)

### **Is It Time To Do Away With The TSA?**

Does the burden imposed on airlines and the public by the all-encompassing domestic airport security regime provide any real benefit? The arbitrary nature of many of the U.S. Transportation Security Administration's procedures, and the modifications made to mollify public outcry, suggests that they add little real value, says Alan Hoffman of Husch Blackwell LLP. [Read more »](#)

### **Why Hively Offers Limited Protection To LGBT Employees**

Does discrimination based on gender include sexual orientation? With its decision in *Hively v. Ivy Tech Community College*, the Seventh Circuit recently said yes. But this answer won't help everyone, says Phillis Ramsby of the Spiggle Law Firm. [Read more »](#)

## **LEGAL INDUSTRY**

### **Analysis**

#### **Patent Venue Ruling Will Force Texas Firms To Branch Out**

The U.S. Supreme Court's decision Monday placing new restrictions on where patent suits can be filed will force Texas-based intellectual property practices to compete for business beyond the longtime litigation hub of the Eastern District of Texas, but it isn't a death knell for Texas patent cases, lawyers say. [Read more »](#)

### **Analysis**

#### **Delaware Primed For IP Case Bump Despite Bench Vacancies**

The Delaware District Court may have two of its four full-time seats vacant, but there is high confidence throughout the First State's bar that the system is ready to handle an expected influx of patent litigation from the U.S. Supreme Court's ruling Monday in the *TC Heartland* case. [Read more »](#)

### **Analysis**

#### **3 Social Media Alerts That Can Get Lawyers In Trouble**

The rainbow of social media platforms out there can be enticing to lawyers hungry for information about jurors, opposing counsel and the like. But each platform comes with its own set of rules and tools that, depending on how well a user understands them, could result in a digital "hello" that would be better left unsaid. Here, Law360 looks at three notification functions that can raise ethical problems. [Read more »](#)

### **Justices Won't Hear \$3M Jenner & Block Fee Appeal**

Following a similar move by the Texas Supreme Court, the U.S. Supreme Court on Monday declined to hear a dispute between Jenner & Block LLP and Parallel Networks, which alleged the law firm had wrongly been allowed to drop its representation of the patent holding company and still receive \$3 million in fees, in violation of public policy. [Read more »](#)

### **Fee Deal Need Not Explain Joint Financial Duty: Ill. Justices**

A fee-sharing deal between a Chicago personal injury firm and another lawyer is enforceable despite a failure to expressly state that both sides had a financial responsibility for the workers' compensation cases, the Illinois Supreme Court has ruled. [Read more »](#)

### **Cravath Can't Dodge Shell Docs Subpoena, 2nd Circ. Told**

A Nigerian environmental and human rights advocate has urged the Second Circuit to uphold an order requiring Cravath Swaine & Moore LLP to turn over documents related to her planned litigation against Royal Dutch Shell in the Netherlands, saying the request is narrow and covers information already disclosed in a prior case. [Read more »](#)

### **Plaintiffs Bar Perspective: McKool Smith's Ashley Moore**

I've seen seasoned lawyers in the courtroom who failed to listen effectively, which alienates the jury, destroys what could have been a devastating cross-examination, and sometimes frustrates judges who simply want their question answered, says Ashley Moore, principal at McKool Smith PC. [Read more »](#)

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#### COMPANIES

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Wells Fargo & Co.  
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American Federation of Government Employees  
American Federation of State, County and Municipal Employees  
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Competitive Power Ventures Holdings LLC  
Delaware State Bar Association

Devon Energy Corporation  
Dot Foods Inc.  
Environmental Defense Fund Inc.  
Expedia Inc.  
Generic Pharmaceutical Association Inc.  
Goodyear Tire & Rubber Co.  
Google Inc.  
Grant Thornton LLP  
HomeAway Inc.  
International Brotherhood of Teamsters  
Johnson & Johnson  
LinkedIn Corp.  
Mattel, Inc.  
Merck & Co Inc.  
Morgan Stanley  
National Air Traffic Controllers Association  
National Basketball Association  
National Collegiate Athletic Association  
New York City Bar Association  
New York State Bar Association  
New York Times Co.  
Nuclear Energy Institute  
PHH Corporation  
Pew Charitable Trusts  
Porsche  
Royal Dutch Shell PLC  
Smith & Wesson Holding Corporation  
Snap Inc.  
Sonoco Products Co.  
T-Mobile USA Inc.  
The DIRECTV Group, Inc.  
The Walt Disney Company  
Turner Broadcasting System Inc.  
U.S. Chamber of Commerce  
United Continental Holdings Inc.  
Vonage Holdings Corp.  
West Corp.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Executive Office of the President  
Securities and Exchange Commission  
U.S. Department of Homeland Security  
Consumer Financial Protection Bureau  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
U.S. Department of Defense  
U.S. Environmental Protection Agency  
Army Corps of Engineers

Bureau of Citizenship and Immigration Services  
Bureau of Labor Statistics  
Bureau of Safety and Environmental Enforcement  
Commodity Futures Trading Commission  
Congressional Budget Office  
European Union  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Law Enforcement Training Center  
Illinois Supreme Court  
Internal Revenue Service  
Judicial Conference of the United States  
Michigan Department of Treasury  
National Institutes of Health  
New Jersey Attorney General's Office  
Nuclear Regulatory Commission  
Occupational Safety and Health Administration  
Pennsylvania Supreme Court  
Texas Attorney General's Office  
Transportation Security Administration  
U.S. Army  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Housing and Urban Development  
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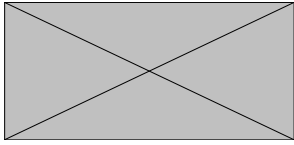
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 7/18/2017 7:39:43 AM  
**Subject:** Health Overhaul Looks Dead As 2 More GOP Senators Oppose



**PUBLIC POLICY.**

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**Tuesday, July 18, 2017**

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## TOP NEWS

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### Health Overhaul Looks Dead As 2 More GOP Senators Oppose

Sens. Mike Lee, R-Utah, and Jerry Moran, R-Kansas, announced late Monday that they won't support a newly tweaked version of the Republican health care bill in their chamber, likely quashing the party's latest attempt to undo the Affordable Care Act.

[Read more »](#)

#### Analysis

### Plan To Cut Legal Immigration Likely To Be Uphill Battle

President Donald Trump is reportedly preparing to back a plan to reduce legal immigration, and while the proposal will likely have a tough time getting through Congress, its circulation could still contribute to a chilling effect on immigration, attorneys say. [Read more »](#)

### USTR Releases Wishlist For New NAFTA Talks

The Office of the U.S. Trade Representative on Monday released its lengthy list of priorities for the looming reboot of the North American Free Trade Agreement, offering the first glimpse of its plans for the agreement's rules of origin, services, arbitration, the environment and numerous other areas. [Read more »](#)

### Net Neutrality Comment Period Ends With 8M Responses

Companies and industry players raced Monday to submit their final thoughts on the topic of net neutrality as the initial comment period on whether the Federal Communications Commission should reverse the legal underpinning for prohibiting paid content prioritization drew to a close. [Read more »](#)

### Congress Wants In On Any New Trade Talks With South Korea

A group of bipartisan House and Senate trade leaders on Monday urged the U.S. Trade Representative to consult closely with Congress before meeting with South Korea to amend the existing free trade agreement between the U.S. and the Pacific Rim nation, saying it is necessary for the meeting to be successful. [Read more »](#)

### Sen. Finance Committee Dems' Top Tax Aide To Leave

Victor Fleischer, the renowned tax law professor who sparked a debate over the tax benefits for private equity and hedge fund managers, is stepping down from his role as the co-chief tax counsel for Senate Finance Committee Democrats, according to a statement Monday. [Read more »](#)

#### Analysis

### 2nd Circ. Suggests Some 'Official Acts' Not Worth Charging

In a recent decision overturning a once-powerful New York lawmaker's conviction, the Second Circuit implied that some "official acts" might meet the U.S. Supreme Court's McDonnell standard for determining what constitutes an illegal quid pro quo from an office holder, but would likely not be weighty enough for a jury to convict on corruption charges. [Read more »](#)

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Coblentz Patch  
Davis Polk  
Dechert  
Diamond McCarthy  
Dorsey & Whitney  
Fisher Phillips  
Fragomen Del Rey  
Fredericks Peebles  
Goodwin  
Greines Martin  
Hangley Aronchick  
Hare Wynn  
Hart McLaughlin  
Hogan Lovells  
Kaufman & Canoles  
Kirkland & Ellis  
Kline & Specter  
Lowenstein Sandler  
Maddin Hauser  
Marshall Dennehey  
Maynes Bradford  
McGrane LLP  
Meyer Glitzenstein  
Meyers Nave  
Mintz Levin  
Morgan Lewis

CLV000837

## FEC Sues Ex-Congressman For 2012 Campaign Violations

The Federal Election Commission on Friday filed a suit against former U.S. Rep. David Rivera, R-Fla., for secretly contributing to the primary challenger of his main Democratic opponent in a 2012 campaign as part of a scheme to boost his own chances in the general election. [Read more »](#)

## BANKING & SECURITIES

### SEC Says NYSE Can't Let Market Makers Trade Pre-Close

The U.S. Securities and Exchange Commission on Friday disapproved a New York Stock Exchange proposal to allow designated market makers to make trades that would establish a new high or low price in the last 10 minutes of trading, saying the exchange hadn't addressed the risk that market makers would engage in manipulative activity. [Read more »](#)

### Comptroller Reiterates Calls For CFPB Arbitration Rule Data

The acting head of the Office of the Comptroller of the Currency on Monday asked the Consumer Financial Protection Bureau to hold off on publishing its final arbitration rule until he has a chance to review data, deepening a spat between the two regulators over the regulation. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### EPA Will Retain Current Limits For Nitrogen Dioxide

The U.S. Environmental Protection Agency said Friday it won't change its hourly or annual limits for air pollutant nitrogen dioxide, fulfilling an agreement that resolved a lawsuit filed by green groups alleging the agency had blown its deadline to decide the question. [Read more »](#)

### Ex-Mich. DEQ Director Can't Escape Flint Residents' Claims

The former director of Michigan's Department of Environmental Quality can't escape a lawsuit lodging constitutional claims against him for his alleged role in Flint's water contamination crisis because he hasn't presented fresh arguments as to why he should receive immunity, a Michigan federal judge said Friday. [Read more »](#)

### Groups Can't Defend Ban On Frack Waste Wells: 3rd Circ.

The Third Circuit ruled Monday that two environmental groups and the water provider for a northwestern Pennsylvania municipality could not step in to defend an ordinance — ultimately repealed — that prevented Seneca Resources Corp. from storing fracking waste in an underground well. [Read more »](#)

### Union, Enviro Blast Proposed EPA Cuts In House Bill

Environmental groups and union officials on Monday slammed a U.S. House of Representatives funding bill for the Environmental Protection Agency, saying a 7 percent cut for the agency, while a smaller reduction than was proposed by President Donald Trump, will still make it difficult to fulfill its mission. [Read more »](#)

## HEALTH & LIFE SCIENCES

### Analysis

### Drug Costs Threaten FDA Quick Approval Program, Docs Say

Drugs approved through the U.S. Food and Drug Administration's accelerated pathway often carry a high price tag, which at times leads insurers to refuse coverage of the drugs and may endanger the future of the process, researchers said in a New England Journal of Medicine policy analysis. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

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Proskauer Rose  
Quinn Buseck  
Rathje & Woodward  
Simpson Thacher  
Suttiter Axland  
Troutman Sanders  
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White and Williams  
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### COMPANIES

AARP Inc.  
AT&T Inc.  
Adobe Systems Incorporated  
American Beverage Association  
American Cancer Society Inc.  
American Civil Liberties Union  
American Federation of  
Government Employees  
American Hospital Association  
Amgen Inc.  
Anthem Inc.  
Burford Capital LLC  
Caterpillar Inc.  
Center for Biological Diversity Inc.  
Comcast Corporation  
Communications Workers of  
America  
Concur Technologies, Inc.  
DraftKings Inc.  
Electronic Frontier Foundation  
FanDuel Inc.  
Fantasy Aces LLC  
Genentech Inc.  
General Motors  
Google Inc.  
Humana Inc.  
Koch Industries Inc.  
Legalist Inc.  
LexisNexis Group  
LinkedIn Corp.  
Lithia Motors, Inc.  
Lyft Inc.  
Mayo Foundation for Medical  
Education and Research  
Memorial Sloan Kettering Cancer  
Center  
Merck KGaA  
Microsoft Corporation  
NYSE Holdings LLC  
National Association of  
Broadcasters



## Advocacy Group Loses Challenge Of Used-Car Safety Orders

An automobile safety advocacy group lost its case challenging the Federal Trade Commission's December settlement with General Motors and others over used-car safety certifications, when the D.C. Circuit ruled Friday that the group doesn't have the authority to fight the FTC's order. [Read more »](#)

## INSURANCE

## Racetrack Not Covered For \$21M Blago-Tied Fraud Suit

RSUI Indemnity Co. need not defend a bankrupt racetrack operator in a \$21 million underlying suit alleging fraudulent money transfers, an Illinois federal judge ruled Monday, because it is connected to separate litigation over former Gov. Rod Blagojevich's bribery and is thus excluded under RSUI's policy. [Read more »](#)

## REAL ESTATE

## NJ Towns Can't Block Housing Report Disclosure, Court Says

The New Jersey Appellate Division on Monday said more than 300 towns seeking declarations of their compliance with affordable housing obligations must reveal information from a preliminary report key to their case, reasoning that they'd gain an unfair advantage by keeping the draft under wraps. [Read more »](#)

## Tree Ordinances Can Lead To Takings Claims, Texas AG Says

Texas Attorney General Ken Paxton on Friday issued an advisory opinion concluding that in some circumstances, municipal tree preservation ordinances can be considered unconstitutional takings requiring compensation under the Texas Constitution. [Read more »](#)

## Sergeant's Mortgage Not Shielded From Foreclosure: 4th Circ.

A Fourth Circuit panel on Monday ruled that Wells Fargo Bank NA did not need court approval to foreclose on and sell the Virginia home of an active-duty U.S. Army sergeant, finding the Servicemembers Civil Relief Act does not protect his mortgage because it originated when he was active in the Navy. [Read more »](#)

## EMPLOYMENT

## NJ College Hit With Whistleblower Suit Over VP's Conduct

A New Jersey community college has been slapped with a whistleblower suit by its purchasing director, who claims she's being subjected to a hostile work environment because she accused the school of skirting invoicing and contracting rules. [Read more »](#)

## COMPETITION

### Analysis

## DraftKings, FanDuel Can Focus On DFS Legalization Post-Deal

Daily fantasy operators DraftKings and FanDuel last week backed out of a planned merger amid a potential antitrust challenge, a move experts called smart as it will allow the companies to focus on one of their main goals: promoting the expansion of legalized daily fantasy contests. [Read more »](#)

## TAX

## Groups Say Tax Reform Can't Be Temporary, Allow Loopholes

A coalition of major corporations that was initially formed to support the House Republicans' tax reform ideas urged senators on Monday to avoid half-measures

National Association of Realtors  
National Association of Theatre Owners  
National Fuel Gas Co.  
New York Yankees  
Office Depot Inc.  
OneWest Bank Group LLC  
PKF O'Connor Davies LLP  
Pfizer Inc.  
Sarepta Therapeutics Inc.  
Snap Inc.  
Staples Inc.  
TW Liquidation Corp.  
The Boeing Company  
Twitter Inc.  
U.S. Chamber of Commerce  
Uber Technologies Inc.  
Verizon Communications  
Wal-Mart Stores Inc.  
Wells Fargo & Co.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Congressional Budget Office  
Consumer Financial Protection Bureau  
Federal Communications Commission  
Federal Election Commission  
Federal Reserve System  
Federal Trade Commission  
Financial Conduct Authority  
Florida Commission on Ethics  
Florida House of Representatives  
Food and Drug Administration  
Internal Revenue Service  
Match-E-Be-Nash-She-Wish Band of Pottawatomi  
NAFTA  
National Archives and Records Administration  
National Labor Relations Board  
Navajo Nation  
New York State Assembly  
Occupational Safety and Health Administration  
Office of the Comptroller of the Currency  
Office of the U.S. Trade Representative  
Pennsylvania Supreme Court  
Securities and Exchange

CLV000839



such as temporary tax cuts, while dozens of unions and community groups called for an overhaul of tax laws that would ensure the financial sector pays its fair share of taxes. [Read more »](#)

### **Tax Changes Could Cut Charitable Giving, Trump Admin. Told**

Charity advocates have urged the Trump administration and lawmakers to protect tax credits to incentivize charitable giving, warning that an increase to the standard deduction by tax reforms currently under consideration could put a damper on contributions, according to a Monday announcement. [Read more »](#)

### **Philly Soda Tax Opponents Appeal To Pa. High Court**

As expected, the American Beverage Association and other challengers are taking Philadelphia's controversial tax on sweetened beverages to Pennsylvania's highest court. [Read more »](#)

### **IRS Gets Poor Marks In Watchdog's Record-Keeping Review**

Record-retention practices at the Internal Revenue Service have fallen behind federal requirements, a government watchdog said in an unflattering new report that spotlights the tax agency's outdated email system and allegedly shifting storage policies. [Read more »](#)

## **IMMIGRATION**

### **Justices Give Hawaii Until Tuesday For Travel Ban Response**

The U.S. Supreme Court on Saturday gave Hawaii until noon Tuesday to respond to the Trump administration's bid for the high court to clarify how the revised travel ban should apply to "close family" and refugees after a Hawaii federal court recently broadened the government's guidance. [Read more »](#)

### **Extra 15K H-2B Visas To Be Allowed, Gov't Says**

The federal government will allow an additional 15,000 H-2B visas for temporary guestworkers this fiscal year, according to a preview notice filed Monday, although petitioners will have to attest that their companies would be likely to incur "irreparable harm" if they can't get H-2B workers. [Read more »](#)

## **NATIVE AMERICAN**

### **Utah County's Voting Districts Still Gerrymandered: Judge**

A federal judge on Friday rejected a Utah county's plans for redrawing certain election districts in light of his prior conclusion that they were unconstitutional, saying that the proposed fixes also fail to "pass constitutional muster" because they are racially gerrymandered. [Read more »](#)

### **Law Spiking Casino Suit Is Unconstitutional, Justices Told**

A Michigan man has urged the U.S. Supreme Court to declare unconstitutional a federal law that put an end to his lawsuit challenging a tribal casino project near his land, saying Congress crossed the line separating its power from that of the federal courts by passing the Gun Lake Act. [Read more »](#)

## **TELECOMMUNICATIONS**

### **FCC Estimates \$2.1B In Repack Costs After Incentive Auction**

The Federal Communications Commission on Friday announced a preliminary cost estimate of \$2.1 billion associated with new channel assignments resulting from the incentive action aimed at clearing a chunk of spectrum for wireless use, which concluded earlier this year and raised a total of \$19.8 billion. [Read more »](#)

## **EXPERT ANALYSIS**

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[U.S. House of Representatives](#)

[U.S. Navy](#)

[U.S. Supreme Court](#)

[World Trade Organization](#)

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## Rebuttal

### The Future Of Litigation Finance Is Analytics

In a recent Law360 guest article, Christopher Bogart of Burford Capital LLC claimed that "while theoretically well designed to find the proverbial needle in a haystack, big data and AI currently lack the ability to do so usefully in a commercial litigation financing context." But AI can manage many of the tasks that litigation financiers would otherwise perform, says Eva Shang, co-founder of Legalist Inc. [Read more »](#)

### Calif. Aims To Raise Bar On Overtime Salary Test

The California Senate is poised to act on a bill that would require a higher salary threshold for categorizing employees as exempt from overtime requirements. Many employers pay their exempt employees, and many of their nonexempt employees, more than the proposed minimum, but this legislation will have a greater impact on certain categories of businesses, says Gina Rocanova of Meyers Nave Riback Silver & Wilson PLC. [Read more »](#)

### Get Ready For The UK's New Unexplained Wealth Order

The U.K. Criminal Finances Act 2017 allows for court orders requiring individuals and companies to explain the origin of assets in the U.K. and beyond that appear disproportionate to their known incomes. But the controversial nature of the new orders means that legal challenges are likely, say attorneys from Dechert LLP. [Read more »](#)

### How Mobile Apps Can Benefit Your Practice

Despite the boom in mobile application development, many lawyers are still reluctant when it comes to using apps in their daily work. Attorney Sean Cleary explores the benefits and shares some recommendations for apps geared toward attorneys. [Read more »](#)

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## LEGAL INDUSTRY

## Analysis

### How To Avoid E-Discovery Challenges Posed By New Tech

Although recent amendments to federal rules clarified the bounds of discovery, particularly involving electronically stored information, the proliferation of new tools for communication and data gathering and storage presents ample ambiguity about the obligations of attorneys and clients as they jointly navigate this brave new world. [Read more »](#)

### GC Cheat Sheet: The Hottest Corporate News Of The Week

The Trump administration's effort to reform federal tax laws has some hurdles to clear, business lobbyists push back against a major U.S. city's new ordinance, and a CFPB rule change banning arbitration clauses could have a widespread impact. These are some of the top stories in corporate legal news you may have missed last week. [Read more »](#)

### 9th Circ. OKs Partial Disallowance Of Fees In Howrey Case

A California bankruptcy court was right to slash fee payments to McGrane LLP over ethical lapses and costly flights of fancy in its work representing creditors of long-defunct Howrey LLP, the Ninth Circuit has affirmed, bringing an end to McGrane's yearslong bid to undo the public rebuke. [Read more »](#)

### Plaintiffs Bar Perspective: Hare Wynn's Tempe Smith

The recent increase in lawyer advertising has changed the landscape for plaintiffs firms. They simply cannot conduct business the way they did 50 years ago, says Tempe Smith of Hare Wynn Newell & Newton LLP. [Read more »](#)

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U.S. Supreme Court  
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Federal Trade Commission  
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U.S. Department of Justice  
Consumer Financial Protection Bureau  
Office of the Comptroller of the Currency  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Congressional Budget Office  
Federal Election Commission  
Federal Reserve System  
Financial Conduct Authority  
Florida Commission on Ethics  
Florida House of Representatives  
Food and Drug Administration  
Match-E-Be-Nash-She-Wish Band of Pottawatomi  
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National Archives and Records Administration  
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Navajo Nation  
New York State Assembly  
Occupational Safety and Health Administration  
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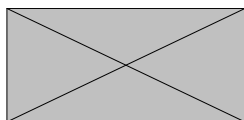
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 8/3/2016 8:31:17 AM  
**Subject:** [Marketing Mail] Beefed-Up Waiver Rule Could Spur Green Card Applications



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**Wednesday, August 3, 2016**

## TOP NEWS

### Beefed-Up Waiver Rule Could Spur Green Card Applications

U.S. Citizenship and Immigration Services has rolled out a final rule that will expand the pool of people who are eligible for a key inadmissibility waiver, and the regulation will likely encourage individuals to apply for green cards who may have been hesitant to do so in the past, according to attorneys.

### AIG, Prudential, Dozens More Get Breather On Living Wills

AIG Inc., HSBC Holdings PLC, Prudential Financial Inc. and 35 other financial institutions will get another year to submit their living wills, with federal regulators saying Tuesday that the extension will let the companies incorporate new feedback and guidance into their next submissions.

### North Dakota Voter ID Law Blocked By Federal Judge

A North Dakota federal judge on Monday blocked the state from enforcing its voter identification law during the current election cycle, saying the law imposes an undue burden on Native American voters.

### IRS Aims To Stop Undervaluation Of Transferred Interests

The IRS proposed new rules Tuesday that are intended to prevent the undervaluation of transferred interests in corporations and partnerships for estate, gift and generation-skipping transfer tax purposes.

### Singapore Leader Warns US Reputation At Stake In TPP Fight

Singaporean Prime Minister Lee Hsien Loong said Tuesday that there is more at stake in the U.S. quest to ratify the Trans-Pacific Partnership than the deal itself, suggesting that a failure to bring the deal home would badly damage the U.S. reputation in the Asia-Pacific region.

### FAA Chief Opens Door For Drone Flights Over People

Federal Aviation Administration Director Michael Huerta on Tuesday opened the door for the potential use of commercial unmanned aircraft systems, or drones, over populated areas, saying the FAA was currently working on a related rule.

### High Court Urged To Force Senate Action On Garland

A New Mexico attorney has asked the U.S. Supreme Court to command Sen. Chuck Grassley, R-Iowa, to begin considering President Barack Obama's high court nomination, D.C. Circuit Chief Judge Merrick Garland, arguing the court has original jurisdiction over the matter because the senator is a "public minister"

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Greenberg Traurig  
Hinshaw & Culbertson  
Honigman Miller  
Jones Day  
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Kirkland & Ellis  
Lanier Law Firm  
Latham & Watkins  
Liebler Gonzalez  
Miller Barondess  
Miller Shakman  
Mitchell Silberberg  
MoloLamken LLP  
Morgan Lewis  
Morris Manning  
Morrison & Foerster  
Munger Tolles  
Native American Rights Fund  
Pillsbury Winthrop  
Quinn Emanuel  
Shearman & Sterling  
Shook Hardy  
Sidley Austin

CLV000845

refusing to perform a duty.

**Pa. Justices Nix GOP Bid To Enter Judicial Retirement Fight**

Two Pennsylvania Republican lawmakers were barred Monday from intervening in a dispute pending before the state's supreme court over the wording of a controversial ballot measure set to go to voters in November that would raise the constitutionally mandated retirement age for judges.

**ANALYSIS**

**New Prison Rate Caps Could Help FCC Dump Court Challenge**

The Federal Communications Commission is hoping a vote Thursday to raise rate limits on inmate calling services will weaken a legal challenge filed by providers shortly after their 2015 approval, but success remains uncertain given lingering questions surrounding the agency's authority and unwillingness to limit pay-to-play payments to facilities.

**NY Nuke Plant Subsidies Will Likely Face Legal Battle**

Nuclear plant subsidies offered by New York state as part of its revised clean energy program will likely face court challenges, with critics' primary ammunition likely to be the U.S. Supreme Court's recent decision that plant subsidies offered by Maryland usurped federal authority over wholesale electricity markets, experts say.

**BANKING & SECURITIES**

**SEC Points To Menendez Ruling In House Subpoena Row**

The U.S. Securities and Exchange Commission on Tuesday asked the Second Circuit to rely on a Third Circuit decision concerning charges against a U.S. senator when ruling on a U.S. House Ways and Means Committee's efforts to dodge an agency subpoena.

**Gray Financial, Hill Seek 11th Circ. Do-Over On SEC Courts**

Investment firm Gray Financial Group Inc. and real estate developer Charles L. Hill each urged the Eleventh Circuit on Monday to rethink a panel ruling requiring them to face the U.S. Securities and Exchange Commission's in-house court, saying the decision defies U.S. Supreme Court precedent.

**Sweden Forms Commission To Analyze Crowdfunding Market**

The Swedish government has formed a commission that will identify how to improve crowdfunding opportunities in the country, hoping to capitalize on the trend that targets small and emerging companies.

**ENERGY & ENVIRONMENTAL**

**DC Circ Challenge to EPA's New Methane Rules Gains Steam**

The coalition challenging new U.S. Environmental Protection Agency regulations on methane emissions swelled in size Tuesday, with more than a dozen states and a host of fossil fuel industry groups asking the D.C. Circuit to review the rule.

**GOP Sens. Back Criminal Probe Into Gold King Spill**

Two U.S. Senate Republicans lauded the U.S. Environmental Protection Agency's internal watchdog for announcing a criminal investigation into last year's Gold King Mine disaster, which spilled millions of gallons of toxic wastewater into a river system that flows through Navajo lands.

**White House Releases Final GHG Guidance For Agencies**

The Obama administration continued its climate change push on Tuesday by releasing final guidance designed to assist federal agencies with factoring

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Sive Paget  
Spilman Thomas  
Sprague & Sprague  
Stinson Leonard  
Stroock & Stroock  
Weitz & Luxenberg

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Comcast Corporation  
Coventry Health Care Inc.  
Credit Suisse Group AG  
Deutsche Bank AG  
Entergy Corporation  
Environmental Defense Fund Inc.  
Exelon Corporation  
Facebook  
Fannie Mae  
Federation Internationale de  
Football Association  
Freddie Mac  
General Motors  
Google Inc.  
HSBC Holdings PLC  
Illinois Transportation Trade  
Association  
Intel Corporation  
JPMorgan Chase & Co.  
Land of Lincoln Mutual Health  
Insurance Co.  
Lehman Brothers Holdings Inc.  
Lyft Inc.  
Marvell Technology Group, Ltd.  
McGraw Hill Financial Inc.  
Morgan Stanley  
National Immigration Law Center  
Natural Resources Defense  
Council  
New York University  
Nomura Holdings, Inc.  
PJM Interconnection LLC



greenhouse gas emissions into National Environmental Policy Act reviews.

**GOP Sen. Wants EPA To Scrap Clean Energy Incentive Plan**

The U.S. Environmental Protection Agency’s proposed Clean Energy Incentive Program would provide unnecessary incentives to wind developers who already benefit from tax credits, a U.S. senator told the agency on Monday.

**Rail Giants Seek Injunction Against Calif. Hazmat Transpo Fee**

BNSF Railway Co. and Union Pacific Railroad Co. sought a preliminary injunction Tuesday to block California’s tax board and regulators from implementing a new law that slaps a fee on rail cars transporting hazardous materials like crude oil and chemicals, saying it hurts railroads and threatens public safety.

**IP & TECHNOLOGY**

**Patent Suit Limits Would Aid Tech Giants, Say Profs**

A group of 28 professors on Monday urged Congress not to pass a Senate bill that would restrict where patent suits can be filed, saying it would primarily benefit large tech companies sued for infringement by shifting cases to more defendant-friendly jurisdictions outside of Texas’ Eastern District.

**TRANSPORTATION & INFRASTRUCTURE**

**Chicago Cabs Must Steer Clear Of Uber Regs, 7th Circ. Hears**

The Seventh Circuit was told on Monday that the taxicab industry has no right to keep Uber and Lyft drivers off the streets of Chicago as the city pled with the court to dismiss a suit brought by traditional cab companies arguing that uneven regulations have stripped them of profits.

**INSURANCE**

**Blue Cross Ill. Seeks Premium Hikes Up To 45%, Citing ACA**

Blue Cross Blue Shield of Illinois on Monday sought to hike its premium rates by as much as 45 percent for the coming year, citing rising costs of medical providers and services, as well as an increased use of health insurance overall.

**REAL ESTATE**

**CFPB Lays Out Guidelines For Foreclosure Relief Efforts**

The Consumer Financial Protection Bureau on Tuesday released recommendations for mortgage servicers, investors, government housing authorities and policymakers to assist consumers facing foreclosure, in preparation for the expiration of a U.S. Department of the Treasury foreclosure relief program.

**COMPETITION**

**Relator Tossed From Case Against Chicago Camera Contractor**

The whistleblower at the heart of a lawsuit accusing Redflex Traffic Systems Inc. of bilking the city of Chicago out of at least \$125 million through an alleged bribery scheme was booted from the suit Tuesday by a federal judge who said the scheme had already been detailed in the press before the one-time Redflex employee stepped forward.

**Uber, Lyft Say Taxis Sued To Hang On To Monopoly**

Uber and Lyft asked a Florida federal court Monday to toss a proposed class action from taxicab drivers alleging the companies deceived consumers by

Prudential Financial Inc.  
Public Company Accounting Oversight Board  
Redflex Traffic Systems  
Samsung Electronics Co. Ltd.  
State Street Corp.  
Talen Energy Corp.  
The Bank of New York Mellon Corporation  
The Royal Bank of Scotland Group PLC  
UBS AG  
Uber Technologies Inc.  
Union Pacific Corporation  
Verizon Communications  
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California State Board of Equalization  
Centers for Medicare & Medicaid Services  
Consumer Financial Protection Bureau  
Council on Environmental Quality  
European Commission  
Executive Office of the President  
Federal Aviation Administration  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Housing Finance Agency  
Federal Reserve System  
Federal Trade Commission  
Financial Stability Oversight Council  
Food and Drug Administration  
Internal Revenue Service  
National Telecommunications and Information Administration  
Navajo Nation  
Nuclear Regulatory Commission  
Securities and Exchange Commission  
U.S. Attorney's Office  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Justice



misrepresenting the ride-hailing services as safe and compliant with local regulations, saying the suit is a ploy by taxi operators to retain their long-held monopoly.

### **Sheldon Silver Says Bail, Not Jail, Warranted During Appeal**

Former New York State Assembly Speaker Sheldon Silver says he'll likely be awarded a new trial on appeal, given the U.S. Supreme Court's recent overhaul of the anti-corruption laws underlying his November conviction, and urged a federal judge Tuesday to keep him out of prison in the meantime.

## **PRIVACY & CONSUMER PROTECTION**

### **Ban On Miss. Law Shielding Gay Marriage Objectors Upheld**

A Mississippi law designed to protect same-sex marriage objectors will remain blocked while the state appeals to the Fifth Circuit, a federal judge ruled Monday, shooting down arguments from the state that the bill's opponents don't have standing and that the objectors should be given the same protections as pacifists and abortion opponents.

## **INTERNATIONAL TRADE**

### **Afghanistan Joins WTO, Inks Trade Facilitation Pact**

Soon after taking its final step to become the newest member of the World Trade Organization, Afghanistan ratified an agreement to streamline customs procedures and slash red tape at ports of entry around the world, according to documents circulated Tuesday.

## **TELECOMMUNICATIONS**

### **Senators Caution FCC On Special Access Rural Impact**

Nine U.S. senators told the Federal Communications Commission on Monday to make sure any new rules for the business data services market are based on accurate industry data, including information measuring competition, which they said is important for rural communities.

### **Comcast Wants 'Sensitivity-Based' FCC Privacy Protections**

Comcast continues to press the Federal Communications Commission to adopt broadband provider privacy protection rules in line with Federal Trade Commission recommendations, according to an ex parte filing Monday that pressed specifically for a "sensitivity-based approach" to consumer consent for data sharing.

## **EXPERT ANALYSIS**

### **How To Attract Restructuring Investors To Post-Brexit UK**

Instead of looking wistfully east, smitten by gloom at the prospect of falling out of the European Insolvency Regulation, the U.K. ought to be turning west, and should seize this moment of realignment to improve the U.K. insolvency system and make it familiar, say former U.S. Bankruptcy Judge James Peck and Howard Morris of Morrison & Foerster LLP.

### **The Specter Of A Financial Transactions Tax**

If Republicans retain control of the House, the chances of a financial transactions tax being reinstituted in the United States in the short term are very low. That said, the insertion of ever more frequent proposals for a so-called "Robin Hood tax" into mainstream political discourse may be a harbinger of things to come, says John Kaufmann of Greenberg Traurig LLP.

### **DC Circ. Sets Up Uncertain Fate For The Clean Power Plan**

U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Senate  
U.S. Supreme Court

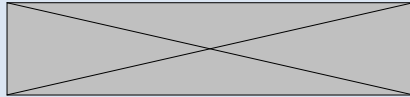
In an unusual order, the D.C. Circuit recently announced its decision to delay scheduled oral arguments over the Clean Power Plan. It's unlikely the court will issue a decision on the Clean Power Plan until after November, meaning the results of the upcoming presidential and congressional elections could determine its outcome, say Jon Sohn and Andrew Shaw at Dentons.

### **FDA Streamlines Reviews Of Next Generation Sequencing Tests**

The U.S. Food and Drug Administration's recent draft guidances on next generation sequencing-based tests may lead to more efficient premarket reviews in the long run, but there could be long ramp-up times and challenges for early adopters, say Elizabeth Bierman, Phoebe Mounts and Michele Buenafe at Morgan Lewis & Bockius LLP.

### **FERC Eases Electricity Market Data Reporting Requirements**

A recently proposed rule by the Federal Energy Regulatory Commission requiring certain participants in wholesale electric markets to submit "relational databases" to report information about their financial and legal affiliations to other entities significantly lessens the administrative burdens that would have been imposed had the commission adopted its prior proposals, say attorneys at Morrison & Foerster LLP.



### **Bad Legal Writing Cut Down To Size In Age Of Short Attention Spans**

Standards for what's considered good writing in the legal profession are changing, and lawyers wedded to the ways of old run the career-damaging risk of angering clients and judges.

### **Assault On Patent Trolls Leaves NPE Model In Peril**

The America Invents Act has left behind a trail of invalidated patents, and IP plaintiffs are being battered by a slew of unfavorable Supreme Court decisions. Will nonpracticing entities find a way to adapt and thrive in this new world?

### **Sandy Hook Victims Search For Weaknesses In Gun Makers' Legal Shield**

Federal law gives gun makers broad protections from lawsuits over non-defective weapons, but a new interpretation of a common legal theory could pave the way for mass-shooting cases if a Connecticut judge signs off.

## **LEGAL INDUSTRY**

### **Litigation Powerhouse: Quinn Emanuel**

The largest law firm in the world solely devoted to litigation and arbitration, Quinn Emanuel Urquhart & Sullivan LLP has leveraged its unique culture into monumental wins for high-profile clients such as Samsung and the Federal Housing Finance Agency, earning the firm a place among Law360's Litigation Powerhouses.

### **How To Best Prepare A Client For The Legal Bill**

Even with a winning outcome or a client savvy about the time-consuming twists that come with complex litigation, a higher-than-expected legal bill can provoke consternation and possibly damage the relationship a law firm has cultivated with a client. Here, experts share their advice on laying down the groundwork with clients

to make paying the bill as painless as possible.

### **Dentons Offers Associate Bonuses As Other Firms Bump Pay**

Dentons is offering its U.S. associates a special, one-time bonus on the heels of associate raise announcements at a slew of other law firms, according to an internal memo made public Tuesday.

### **Jones Day Raises Starting Salaries For Associates In London**

Jones Day has become the latest law firm to hike starting pay for its London associates, following the lead of a number of others that have increased salaries in the city amid a fierce battle for top legal talent, according to news reports.

### **Judges Should Crack Whip On Discovery Abuse, Paper Says**

Federal judges should discipline attorneys more vigorously and apply the lessons of behavioral science to rein in lawyers' wanton abuse of discovery rules and counteract ethical "fade," according to a research paper published Monday.

### **Judges' Personal Characteristics Sway Dissents, Paper Says**

Federal appellate judges' personal characteristics, including their age, race, gender and political persuasion, can have a statistically significant effect on whether they will concur or dissent with another judge on an opinion, according to researchers from the Toulouse School of Economics and New York University.

### **NY Atty Reinstated After 6-Month Ban For Court Rage**

A New York criminal defense attorney was reinstated Friday after a six-month suspension from the state's Western District for violating a reprimand for misconduct and using obscenity in the courtroom, after a federal judge found that the attorney had done all he needed to practice again.

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Entergy Corporation  
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Exelon Corporation  
Facebook  
Fannie Mae  
Federation Internationale de Football Association  
Freddie Mac  
General Motors  
Google Inc.  
HSBC Holdings PLC  
Illinois Transportation Trade Association  
Intel Corporation  
JPMorgan Chase & Co.

Land of Lincoln Mutual Health Insurance Co.  
Lehman Brothers Holdings Inc.  
Marvell Technology Group, Ltd.  
McGraw Hill Financial Inc.  
Morgan Stanley  
National Immigration Law Center  
Natural Resources Defense Council  
Nomura Holdings, Inc.  
PJM Interconnection LLC  
Prudential Financial Inc.  
Public Company Accounting Oversight Board  
Redflex Traffic Systems  
Samsung Electronics Co. Ltd.  
State Street Corp.  
Talen Energy Corp.  
The Bank of New York Mellon Corporation  
The Royal Bank of Scotland Group PLC  
UBS AG  
Union Pacific Corporation  
Verizon Communications  
Volkswagen  
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U.S. Environmental Protection Agency  
European Commission  
Executive Office of the President  
Federal Energy Regulatory Commission  
Securities and Exchange Commission  
U.S. Senate  
Bureau of Citizenship and Immigration Services  
California State Board of Equalization  
Centers for Medicare & Medicaid Services  
Consumer Financial Protection Bureau  
Council on Environmental Quality  
Federal Aviation Administration  
Federal Deposit Insurance Corp.  
Federal Housing Finance Agency  
Federal Reserve System  
Federal Trade Commission  
Financial Stability Oversight Council  
Food and Drug Administration  
Internal Revenue Service  
National Telecommunications and Information Administration  
Navajo Nation  
Nuclear Regulatory Commission  
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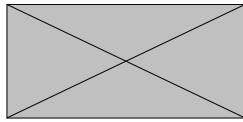
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 8/31/2016 8:21:49 AM  
**Subject:** [Marketing Mail] DHS To Review Ending Privately Run Immigrant Detention



**PUBLIC POLICY**

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**Wednesday, August 31, 2016**

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## **TOP NEWS**

### **DHS To Review Ending Privately Run Immigrant Detention**

The head of the U.S. Department of Homeland Security on Monday called for a subcommittee to review whether the federal agency should follow the U.S. Department of Justice's lead on prisons and eliminate the use of privately owned immigration detention centers.

### **BLM Tweaks Auction Regs Ahead Of Landmark Internet Sale**

The Bureau of Land Management on Tuesday announced changes to its oil and gas lease auction rules to allow for online bidders, paving the way for the bureau's first online lease auction since Congress authorized internet auctions in 2015.

### **NJ Gov. Chris Christie Vetoes \$15 Minimum Wage Bill**

New Jersey Gov. Chris Christie on Tuesday vetoed legislation that would have gradually raised the state's minimum wage to \$15 an hour over the next five years, claiming the measure would hurt small businesses, undermine a 3-year-old ballot referendum and undo his own economic policy.

### **IRS Expands Definition Of REIT-Qualifying Assets**

The IRS has finalized a new rule expanding the types of assets that real estate investment trusts can acquire in order to maintain their advantageous tax status, providing certainty to an area that for decades had been decided on a case-by-case basis.

### **Former Ill. Gov. Proposes 'Pristine' Redistricting Plan**

Former Illinois Gov. Pat Quinn unveiled a plan Tuesday to overhaul the way legislative district maps are drawn, just days after the Illinois Supreme Court took the air out of a [citizen-led proposal to do the same](#).

### **Clerk Who Wore Judge's Robes, Ruled On Cases Fired**

A Cook County Circuit Court law clerk who donned a judge's robes and ruled on two cases from the bench earlier this month has been fired, the chief judge's office announced Tuesday.

## **ANALYSIS**

### **Apple's \$14.5B Irish Tax Bill Could Be Wiped In Court**

The European Commission's conclusion that Apple owes Ireland €13 billion (\$14.5 billion) in unpaid taxes since 2003 is sure to cause panic among U.S. businesses with similar transfer pricing structures in European Union countries, but experts say there are strong legal grounds to challenge the validity of Tuesday's ruling.

### **3 Questions About The DOT's New Speed-Limiter Rule**

The U.S. Department of Transportation's new proposed rule requiring speed-limiting devices on heavy-duty trucks aims to reduce accidents and highway fatalities and

## **LAW FIRMS**

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Caulkins & Bruce  
Covington & Burling  
DLA Piper  
Earthjustice  
Epstein Becker Green  
Fisher Phillips  
Ford & Harrison  
Fox Rothschild  
Gladstein Reif  
Gordon & Rees  
Greenberg Traurig  
Hall Estill  
Jeffer Mangels  
King & Spalding  
Littler Mendelson  
Locke Lord  
Manning & Kass  
McNicholas & McNicholas  
Miller Shakman  
Morgan Lewis  
Morrison & Foerster  
Quinn Emanuel  
Reed Smith  
Richards Kibbe  
Riker Danzig  
Scopelitis Garvin  
Skadden  
Strasburger & Price  
Vedder Price  
Wachtell Lipton  
WilmerHale

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cut carriers' fuel costs, but experts say the suggested regulations still leave several key issues unresolved. Here are three questions attorneys will want the answers to as the rule takes shape.

## BANKING & SECURITIES

### Feds Seek To Quell Banks' Anti-Money Laundering Fears

The U.S. government on Tuesday attempted to allay fears that it has a "zero tolerance" approach to anti-money laundering and sanctions enforcement in an apparent bid to convince U.S. banks not to cut off vital relationships that give foreign counterparts access to the global financial system.

### Report On Post-Volcker Rules Coming Soon, FDIC Chief Says

The banking industry should prepare itself to see what federal banking regulators intend to do after completing their Dodd-Frank Act-mandated rules to put more controls on risky activities by financial institutions, a top official said Tuesday.

### SEC Hands Ex-Monsanto Exec \$22M For Accounting Fraud Tip

The U.S. Securities and Exchange Commission granted a \$22.4 million award to a former Monsanto Co. financial executive for reporting alleged accounting fraud around the agribusiness giant's Roundup weed killer, a lawyer for the whistleblower said on Tuesday.

## ENERGY & ENVIRONMENTAL

### DLA Piper Partner Fined, Resigns Over Party For NYC Mayor

A DLA Piper partner appointed to the New York City Water Board resigned from his position and received a fine of \$1,000 for hosting a campaign fundraiser and birthday party event for New York City Mayor Bill de Blasio, New York's Conflicts of Interest Board announced Tuesday.

### Enviros Defend EPA's Startup, Shutdown Changes At DC Circ.

The Sierra Club and other groups on Monday urged the D.C. Circuit not to strike down the U.S. Environmental Protection Agency's requirement that 36 states revise emissions exemptions related to startup, shutdown and malfunction events at power plants and other facilities.

### EPA OIG Starts Drinking Water Oversight Investigation

The U.S. Environmental Protection Agency's internal watchdog said Monday it is beginning an investigation into the EPA's safe drinking water monitoring program, a move that comes on the heels of a lead-tainted drinking water crisis in Flint, Michigan.

## HEALTH & LIFE SCIENCES

### FDA Clears Sandoz Biosimilar Of Amgen's Enbrel

The U.S. Food and Drug Administration on Tuesday approved Sandoz Inc.'s biosimilar for Amgen Inc.'s immunosuppressant Enbrel to treat certain types of arthritis and psoriasis, bringing the number of biosimilars the agency has approved to three.

## TRANSPORTATION & INFRASTRUCTURE

### Texas Political Sign Regulation Limits Speech, Court Rules

Texas is contemplating its next step after a state appeals court struck down portions of a law that allowed the state to regulate signs along the highway on Friday, holding that parts of the Texas Highway Beautification Act of 1972 dealing with political

## COMPANIES

AbbVie Inc.  
Amazon.com Inc.  
American Board of Trial Advocates  
American College of Trial Lawyers  
American Trucking Associations Inc.  
Amgen Inc.  
Apple Inc.  
Associated Press  
Association of Corporate Counsel  
Bank of America Corporation  
C&S Wholesale Grocers  
Celltrion Inc.  
CenturyLink Inc.  
Consolidated Communications Holdings, Inc.  
Deloitte Touche  
Deutsche Bank AG  
Faculty Athletics Representatives Association  
FairPoint Communications Inc.  
Fiat Chrysler Automobiles NV  
Frontier Communications Corporation  
HSBC Holdings PLC  
Illinois Transportation Trade Association  
JPMorgan Chase & Co.  
Legal Services of New Jersey  
Lehman Brothers Holdings Inc.  
Lyft Inc.  
McDonald's Corporation  
Merck & Co Inc.  
Monsanto Company  
Natural Resources Defense Council  
New York City Bar Association  
New York Times Co.  
Nokia Corporation  
Novartis AG  
Office Depot Inc.  
Pfizer Inc.  
Samsung Electronics Co. Ltd.  
Sierra Club  
Staples, Inc.  
Starbucks Corporation  
State Street Corp.  
The Bank of New York Mellon Corporation  
Twitter Inc.



signs restricts free speech in violation of the First Amendment.

## EMPLOYMENT

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### Hirozawa's NLRB Tenure Remembered For Progressive Action

National Labor Relations Board member Kent Y. Hirozawa exited his post this weekend, ending a three-year tenure filled with major decisions that have left an imprint on labor law, punctuated with a ruling that student assistants at private universities can unionize.

## COMPETITION

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### FTC Taps Deputy Litigator As Chief Trial Counsel

Deputy chief trial counsel Charles A. Loughlin will ascend to the role of chief trial counsel at the U.S. Federal Trade Commission's later this week, filling the vacancy created by the departure of Tara Reinhart, the agency said Tuesday.

### Philly Cab Cos. Sue City Over Uber, Lyft 'Favoritism'

A coalition comprising about 80 percent of Philadelphia's licensed taxicabs and dispatchers filed a complaint against the Philadelphia Parking Authority in Pennsylvania federal court, claiming that its regulatory favoritism toward so-called transportation network companies such as Uber Technologies Inc. and Lyft Inc. has put traditional cab companies on the path to bankruptcy.

### Chicago Taxi Cos. Ask 7th Circ. For Injunction In Uber Fight

A group of Chicago taxi industry stakeholders asked the Seventh Circuit on Monday for an injunction against laws that some taxi drivers assert unfairly favor Uber and other ride-hailing platforms, saying they have adequately shown they have been irreparably harmed because the drivers for the ride-hailing apps haven't been forced to adhere to the same rules governing cabs.

## INTERNATIONAL TRADE

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### Storm Clouds Surround EU-US Trade Pact As France Balks

French government officials cast a skeptical tone about the potential to reach an ambitious trade accord between the U.S. and European Union in the near future, with the country's trade minister on Tuesday going so far as to call for an immediate halt to the three-year negotiating effort.

### CBP Continues March Toward Entirely Digital Trade System

U.S. Customs and Border Protection on Tuesday forged ahead with its multiyear campaign to modernize the submission of data for shipments across the nation's borders, requiring all duty drawback and duty deferral processes to be carried out through its single electronic portal.

## TAX

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### Supreme Court Is Asked To Review Colo.'s 'Amazon Tax' Law

The Direct Marketing Association has asked the U.S. Supreme Court to hear its appeal of a decision affirming Colorado's tax reporting obligations for out-of-state sellers, arguing Monday that the Tenth Circuit's ruling fails to hold the state law to strict scrutiny intended to prevent discrimination against interstate commerce.

### Apple Ordered To Pay \$14.5B In Back Taxes To Ireland

Apple has been ordered to pay up to €13 billion (\$14.5 billion) in back taxes, plus interest, to Ireland after the European Commission found the software giant had received illegal state aid, according to a statement released Tuesday.

Uber Technologies Inc.  
Verizon Communications  
Wells Fargo & Co.  
Zeughauser Group LLC

## GOVERNMENT AGENCIES

Bureau of Land Management  
Bureau of Ocean Energy Management  
Commodity Futures Trading Commission  
Equal Employment Opportunity Commission  
European Commission  
Federal Aviation Administration  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Motor Carrier Safety Administration  
Federal Reserve System  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Financial Stability Oversight Council  
Food and Drug Administration  
Illinois Supreme Court  
Internal Revenue Service  
International Monetary Fund  
National Credit Union Administration  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Security Agency  
New York State Department of Financial Services  
Occupational Safety and Health Administration  
Office of the Comptroller of the Currency  
Securities and Exchange Commission  
Texas Attorney General's Office  
Texas Department of Transportation  
U.S. Customs and Border Protection  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior

## TELECOMMUNICATIONS

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### DC Circ. Tosses LPTV Challenge To Spectrum Auction

The D.C. Circuit nixed a challenge brought by low-power television broadcasters against a Federal Communications Commission decision to repurpose their spectrum in the ongoing incentive auction, finding Tuesday that the LPTVs had been subject to displacement by wireless licensees "long before" the auction.

### Alternative Biz Data Regs Proposal Self-Serving, FCC Told

A group of midsize incumbent local exchange carriers including CenturyLink and Frontier on Monday blasted a business data services rate regulation proposal from Verizon and trade group INCOMPAS that it assailed as self-serving rather than any kind of compromise.

## PEOPLE

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### Bruce Beemer Confirmed As New Pa. AG

The Pennsylvania Senate voted unanimously on Tuesday to confirm Bruce Beemer to take over as the state's new attorney general, replacing Kathleen Kane, who resigned earlier this month on the heels of her perjury conviction.

## EXPERT ANALYSIS

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### What To Know About New Fair Pay And Safe Workplaces Rule

The recently released Fair Pay and Safe Workplaces rule will become effective and begin phase-in on Oct. 25, 2016, and will affect most current and future government contractors and subcontractors with contracts valued at more than \$500,000. Attorneys at Arnold & Porter LLP highlight some of the key changes.

### Where's The E-Sign? A Primer On Electronic Signature Laws

Understanding the history and intricacies behind electronic signature laws can be difficult due to overlap between the Electronic Signatures in Global and National Commerce Act and the Uniform Electronic Transaction Act. Brian Casey of Locke Lord LLP explains the differences between the laws and answers some of the questions they have raised.

### REBUTTAL: Establishing Standards And Norms In Mediation

A recent Law360 guest article asks whether by signing a mediation confidentiality agreement a lawyer surrenders the power to protect his client against inappropriate mediation conduct. The short response to this concern is that parties to a mediation should refuse to execute such an agreement that removes all future recourse against the mediator, no matter how egregious the mediator's actions, says William Ruskin of Gordon Rees Scully Mansukhani LLP.

### Foreign Agents Registration Act May Be At A Tipping Point

The Foreign Agents Registration Act — an obscure, sweeping, 80-year-old federal criminal statute that requires certain individuals and companies acting on behalf of foreign principals to register with the U.S. Department of Justice and file reports — has rocketed to national headlines. The story of former Donald Trump campaign chairman Paul Manafort falls squarely within a pattern of increased enforcement interest, say attorneys with Covington & Burling LLP.

## LEGAL INDUSTRY

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### 6 Traits Of The Most-Loved Law Firm Leaders

While it's a worthwhile endeavor to try to tease out the common qualities of admired law firm leaders, reliable templates remain elusive because if there's one thing great leaders can be counted on to do, it's break the mold. Here, attorneys and law firm leaders share their thoughts about the qualities of leaders who inspire greatness.

U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. Senate  
U.S. Supreme Court  
U.S. Uniform Law Commission  
World Bank Group

## Law Firms Push Work In-House As Rates Climb

Banks that lend money to law firms published two reports this month that concluded firms have hiked rates as demand for legal services wanes, a strategy for revenue growth that experts say will likely push more work in-house, further hurting demand for legal services.

## ITC Slaps Quinn For 'Vast' Document Failures In Tech Row

The “vast extent” of Quinn Emanuel Urquhart & Sullivan LLP’s improper disclosures of a confidential expert report and breaches to a protective order in a smartphone patent and trade battle between Apple Inc. and Samsung Electronics Co. call for an official reprimand, the International Trade Commission said Tuesday.

## Use Jury Panels To Keep Tabs On Judicial Bias, Paper Says

The use of mini-juries alongside elected judges during pretrial decisions would provide a much-needed method of monitoring a system biased toward judicial campaign donors and decisions that favor judges' re-election, a new paper published by the Social Science Research Network says.

## DC Court Pushed To Loosen Up In-House Atty Pro Bono Rules

The Association of Corporate Counsel is pushing the D.C. Court of Appeals to remove certain restrictions on the pro-bono work of in-house attorneys, arguing they are unnecessary and only serve to limit the amount of pro bono work done by lawyers.

## III. Woman Cops To Theft In \$7M Vedder Price Scam

This sister of a longtime Vedder Price PC office manager charged with running an elaborate embezzlement scheme that drained more than \$7 million from firm coffers pled guilty to theft and was sentenced to nearly a year in jail, according to Illinois state court officials.

## Rainmaker Q&A: FordHarrison's Sarah Pierce Wimberly

I read far too many attorney biographies in my practice that convey the same thing, an “expertise” in everything. But that makes it challenging for an aspiring rainmaker to differentiate herself to clients and prospects. Expertise naturally leads to a certain level of confidence, and confidence makes it easier to go after the work, says Sarah Pierce Wimberly, leader of the airline employment practice at FordHarrison LLP.

## Rainmaker Q&A: Patrick McNicholas

The way I look at it, you’re never really making a pitch. You are entering into a potential relationship. Credibility is king. You must be in command of the facts of that client’s particular situation and in command of the law that’s going to govern that client’s issue, says Patrick McNicholas, a partner with McNicholas & McNicholas LLP.

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DLA Piper  
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Hall Estill  
Jeffer Mangels  
King & Spalding  
Littler Mendelson  
Locke Lord  
Manning & Kass  
McNicholas & McNicholas  
Miller Shakman  
Morgan Lewis  
Morrison & Foerster  
Quinn Emanuel  
Reed Smith  
Richards Kibbe  
Riker Danzig  
Scopelitis Garvin  
Skadden  
Strasburger & Price  
Vedder Price  
Wachtell Lipton

#### COMPANIES

Apple Inc.  
Amazon.com Inc.  
Fiat Chrysler Automobiles NV  
JPMorgan Chase & Co.  
Lyft Inc.  
McDonald's Corporation  
Starbucks Corporation  
Wells Fargo & Co.  
AbbVie Inc.  
American Board of Trial Advocates  
American College of Trial Lawyers  
American Trucking Associations Inc.  
Amgen Inc.  
Associated Press  
Association of Corporate Counsel  
Bank of America Corporation  
C&S Wholesale Grocers  
Celltrion Inc.  
CenturyLink Inc.  
Consolidated Communications Holdings, Inc.  
Deloitte Touche

Deutsche Bank AG  
Faculty Athletics Representatives Association  
FairPoint Communications Inc.  
Frontier Communications Corporation  
HSBC Holdings PLC  
Illinois Transportation Trade Association  
Legal Services of New Jersey  
Lehman Brothers Holdings Inc.  
Merck & Co Inc.  
Monsanto Company  
Natural Resources Defense Council  
New York City Bar Association  
New York Times Co.  
Nokia Corporation  
Novartis AG  
Office Depot Inc.  
Pfizer Inc.  
Samsung Electronics Co. Ltd.  
Sierra Club  
Staples, Inc.  
State Street Corp.  
The Bank of New York Mellon Corporation  
Twitter Inc.  
Uber Technologies Inc.  
Verizon Communications  
Zeughauser Group LLC

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
European Commission  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Reserve System  
Illinois Supreme Court  
Occupational Safety and Health Administration  
Office of the Comptroller of the Currency  
Securities and Exchange Commission  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
Bureau of Land Management  
Bureau of Ocean Energy Management  
Commodity Futures Trading Commission  
Equal Employment Opportunity Commission  
Federal Aviation Administration  
Federal Motor Carrier Safety Administration  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Financial Stability Oversight Council  
Food and Drug Administration  
Internal Revenue Service

International Monetary Fund  
National Credit Union Administration  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Security Agency  
New York State Department of Financial Services  
Texas Attorney General's Office  
Texas Department of Transportation  
U.S. Customs and Border Protection  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. General Services Administration  
U.S. Senate  
U.S. Uniform Law Commission  
World Bank Group

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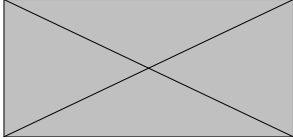
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 4/1/2019 7:45:20 AM  
**Subject:** Wells Fargo's CEO Search Won't Bring Quick Fixes

## EXTERNAL EMAIL



PUBLIC POLICY.

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**Monday, April 1, 2019**

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## TOP NEWS

### Analysis

#### **Wells Fargo's CEO Search Won't Bring Quick Fixes**

Wells Fargo & Co. is on the hunt for a new leader after announcing that CEO Timothy Sloan is heading for the exit, but industry-watchers don't expect the pressure facing the scandal-plagued bank from regulators, lawmakers and consumer advocates to leave with him.

[Read full article »](#)

#### **Mueller Report Headed To Congress By Mid-April, AG Says**

U.S. Attorney General William Barr on Friday told members of Congress that he intends to send them a redacted version of special counsel Robert Mueller's report on his investigation into Russian interference in the 2016 election by mid-April, if not sooner.

[Read full article »](#)

#### **House Transpo Leaders Seek Probe Of Foreign Pilot Training**

Leaders of the House Committee on Transportation and Infrastructure asked a government watchdog Friday to investigate international training standards for non-U.S. pilots, expanding Capitol Hill's scrutiny of the now-grounded Boeing 737 MAX jets involved in a pair of recent fatal crashes.

[Read full article »](#)

### Analysis

#### **Justices' Alaska River Ruling Lets Native Fishing Off Hook**

The U.S. Supreme Court's decision that the National Park Service can't enforce its hovercraft ban on an Alaska river boosted landowners' rights against agency regulation, but its most important piece for Alaska Natives may be the court's refusal to tinker with hard-earned rulings protecting their fishing rights.

[Read full article »](#)

### Analysis

#### **State Of The States: New Employment Laws So Far In 2019**

Three states adopted laws in the first quarter of 2019 to incrementally boost their minimum wages to \$15 an hour — including Maryland, which became the sixth state

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overall to move toward a \$15 wage floor when legislators overrode a gubernatorial veto. Here, Law360 looks at these and other notable state employment statutes that have been passed so far this year.

[Read full article »](#)

**BANKING & SECURITIES**

**Sen. Brown Wants More Info On \$66B BB&T-SunTrust Tie-Up**

U.S. Sen. Sherrod Brown, D-Ohio, called on BB&T Corp. and Suntrust Banks Inc. on Thursday to provide information about their proposed \$66 billion merger and the impact it will have on employees, customers and communities that the banks serve.

[Read full article »](#)

**ENERGY & ENVIRONMENTAL**

**Trump Attempts Court Bypass With New Keystone XL Permit**

President Donald Trump issued a new cross-border permit for the Keystone XL pipeline on Friday in an apparent effort to circumvent a Montana federal court's decision to invalidate a previous permit and block construction.

[Read full article »](#)

**EPA Head Promises Lead Drinking Water Rule By Summer**

The U.S. Environmental Protection Agency's leader on Friday highlighted his focus on water issues, promising revamped regulations for lead and copper in drinking water later this year and touting new efforts to reduce the amount of trash that ends up in the ocean.

[Read full article »](#)

**Feds Sues Calif. Over Dam Plans To Protect Native Fish**

The federal government on Thursday sued California, claiming that a recently adopted plan to boost native fish populations by increasing water flow in the Stanislaus River violates state environmental policies.

[Read full article »](#)

**Advocates Say SD 'Riot Boosting' Law Chills Free Speech**

Opponents of the Keystone XL pipeline sued the South Dakota governor in federal court to try to block a recently enacted law aimed at penalizing those who provide support for protests that end up violent, saying it violates the constitutional rights of assembly, free speech and due process.

[Read full article »](#)

**HEALTH & LIFE SCIENCES**

**Analysis**

**Legal Bruises Add Up For Trump's Health Policy Vision**

The Trump administration's health care agenda looks increasingly wobbly after a one-two punch of new legal blows to policies aimed at reshaping Medicaid and sidestepping the Affordable Care Act. Here, Law360 runs through Trump's losses, triumphs and future fights on health policy.

[Read full article »](#)

**Overtaken Rule Blocks Quick Win For DOJ In FCA Case**

Holland & Knight  
Jenner & Block  
Jomarron Lopez  
Jones Day  
Kaufman Dolowich  
Kirkland & Ellis  
Kline & Specter  
Latham & Watkins  
Linklaters  
Mayer Brown  
Mazie Slater  
McCarter & English  
McCarthy & Holthus  
Milligan Pusateri Co LPA  
Morgan Lewis  
Morrison & Foerster  
Motley Rice  
Nelson Mullins  
Norton Rose Fulbright  
O'Melveny & Myers  
Partridge Snow  
Paul Hastings  
Pierce Atwood  
Quinn Emanuel  
Rasco Klock  
Richards Layton  
Robins Kaplan  
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Sonosky Chambers  
Stoll Berne  
Sullivan & Cromwell  
Swanson Martin  
Trucker Huss  
Venable LLP  
WilmerHale  
Withers  
Womble Bond Dickinson

**COMPANIES**

AT&T Inc.  
Ahtna Inc.  
Akorn Inc.  
Alliance Defending Freedom  
Amazon.com Inc.  
American Bankers Association  
American Bar Association  
American Civil Liberties Union  
American Enterprise Institute  
Anheuser-Busch Inbev SA/NV  
Apple Inc.



A California federal judge refused to hand a quick victory to the U.S. Department of Justice in a whistleblower suit against UnitedHealth Group Inc. over alleged overpayments on medical claims, citing a separate D.C. federal court decision that unwound a rule guiding those payments.

[Read full article »](#)

### **Dump Health Care 'Need' Certifying Law, FTC Urges Alaska**

The Federal Trade Commission has reiterated its stance that Alaska should repeal a law that makes health care providers seek state approval for major expansions, saying the statute hurts competition and doesn't work as intended.

[Read full article »](#)

## **EMPLOYMENT**

### **Trucking Group Loses Bid To Block Dynamex Standard**

A trucking group lost its bid to block California's newly adopted standard for distinguishing between independent contractors and employees after a federal judge ruled Friday that the standard isn't preempted by federal law and doesn't unconstitutionally single out the trucking industry.

[Read full article »](#)

### **ERISA Doesn't Trump CalSavers Retirement Plan, Judge Says**

A California federal judge took a step toward ending an anti-tax group's challenge to the state-run CalSavers Retirement Savings Program, finding the program isn't preempted by the Employee Retirement Income Security Act but giving the group one last shot to bring the case again.

[Read full article »](#)

### **Wilmington Trust Ignored Red Flags In \$46M Deal, Gov't Says**

The U.S. Department of Labor has accused Wilmington Trust of breaching its duties under the Employee Retirement Income Security Act, saying the bank allowed an employee retirement plan to overpay for company stock by tens of millions of dollars.

[Read full article »](#)

### **Ill. District Must Face Title IX Suit Over Trans Bathroom Rule**

A Chicago-area school district must face a lawsuit brought by a group of parents alleging the district's policy allowing transgender students to use bathrooms and locker rooms of their choice violates Title IX protections and the group's First Amendment rights, an Illinois federal judge ruled Friday.

[Read full article »](#)

#### **Analysis**

### **NJ Limits On Harassment NDAs Could Crush Burdened Courts**

New Jersey's new law barring mandatory secret deals to resolve workplace harassment claims could all but wipe out once common settlements and spur many more employees to take their cases all the way to trial, spawning litigation that would grind down the Garden State's already encumbered courts, experts said.

[Read full article »](#)

## **COMPETITION**

### **FTC, DOJ May Team Up On Vertical Merger Guidelines**

The U.S. Department of Justice's top antitrust official showed a willingness Friday to

Applebee's International Inc.  
Avalara Inc.  
BB&T Corp.  
BP p.l.c.  
BTI Consulting Group Inc.  
Baskin-Robbins Inc.  
Bass Pro Shops  
Boston Scientific Corp.  
Cabela's Inc.  
California Trucking Association  
Chevron Corp.  
Citigroup Inc.  
Coinbase Inc.  
Comcast Corp.  
CoreLogic Inc.  
Dunkin' Brands Group Inc.  
Dynamex, Inc.  
Electronic Privacy Information Center  
Essendant Inc.  
Ethiopian Airlines Enterprise  
Facebook  
Fannie Mae  
Federalist Society  
Fifth Third Bancorp  
Fresenius Kabi AG  
Fresenius Medical Care AG & Co.  
KGAA  
Google Inc.  
Hazelden Betty Ford Foundation  
Infosys Ltd.  
Instagram Inc.  
International Business Machines Corp.  
Johnson & Johnson  
KBW, Inc.  
Lloyds Banking Group PLC  
Magnetar Capital LLC  
Metro-Goldwyn-Mayer Studios Inc.  
Meyers, Harrison & Pia LLC  
Microsoft Corp.  
MillerCoors LLC  
Monsanto Co.  
Morgan Stanley  
Mylan NV  
National Employment Law Project  
Natural Resources Defense Council  
New Century Financial  
New Jersey Civil Justice Institute  
New Jersey State Bar Association

work with the Federal Trade Commission on updating guidelines for vertical mergers that have been on the books since the mid-1980s.

[Read full article »](#)

## CYBERSECURITY & PRIVACY

### Hong Kong Cautions Investors Over Security Token Offerings

Hong Kong's Securities and Futures Commission issued a warning on Thursday highlighting risks associated with security token offerings, cautioning against insufficient liquidity or volatility, opaque pricing, hacking and fraud that may be associated with virtual assets.

[Read full article »](#)

### House Bill Pushes DHS, Private Sector To Team Up On Cyber

A bipartisan quartet of House lawmakers has floated legislation that would bring together cybersecurity professionals from a range of industries to advise the U.S. Department of Homeland Security on how best to tackle emerging threats to the nation's infrastructure.

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### Lawmakers Propose End To NSA's Phone Data Collection

A bipartisan group of lawmakers has introduced a bill that would end the National Security Agency's mass collection of phone data.

[Read full article »](#)

## PERSONAL INJURY

### Cabela's Beats Suit Over Sale Of Gun Used In Fatal Shooting

A Delaware state judge on Friday tossed a suit accusing sporting goods company Cabela's of negligently selling a firearm that was later used in a deadly drive-by shooting, saying a state law provides immunity to firearms dealers who make lawful transfers of guns.

[Read full article »](#)

## AEROSPACE & DEFENSE

### DOD Proposes Fixed-Price Preference In Slate Of New Rules

The U.S. Department of Defense on Friday proposed several changes to defense acquisition regulations, including seeking to formally implement a congressionally mandated preference for fixed-price contracts and to increase scrutiny of cost-reimbursement deals, while finalizing several new procurement rules and rescinding outdated requirements.

[Read full article »](#)

### Senators Look To Bar F-35 Sales To Turkey Over Russia Deal

A bipartisan group of senators has introduced a bill that would block Turkey from getting F-35 fighter jets until the country scraps its plan to buy a Russian missile defense system, piggybacking on the Trump administration's recent threats to cut off Turkey from the program.

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## IMMIGRATION

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[NxStage Medical, Inc.](#)

[Panera Bread Company](#)

[Planned Parenthood Federation](#)

[Point72 Asset Management LP](#)

[Publix Super Markets Inc.](#)

[Purdue Pharma LP](#)

[Red Hat Inc.](#)

[Shire PLC](#)

[Sierra Club](#)

[Staples Inc.](#)

[Stryker Corp.](#)

[Suntrust Banks Inc.](#)

[TechFreedom](#)

[The Boeing Company](#)

[Ticketmaster Entertainment, Inc.](#)

[TowerCo LLC](#)

[TransCanada Corporation](#)

[Treasury Wine Estates Ltd.](#)

[Twitter Inc.](#)

[UnitedHealth Group Inc.](#)

[Wal-Mart Stores Inc.](#)

[Wayfair LLC](#)

[Wells Fargo & Co.](#)

[Wilmington Trust Corp.](#)

[Zappos.com Inc.](#)

[eBay Inc.](#)

## GOVERNMENT AGENCIES

[Alaska Legislature](#)

[Bureau of Citizenship and  
Immigration Services](#)

[Bureau of Reclamation](#)

[California Attorney General's  
Office](#)

[California Department of Tax and  
Fee Administration](#)

[California Environmental  
Protection Agency](#)

[California Labor and Workforce  
Development Agency](#)

[California State Treasurer's Office](#)

[California Supreme Court](#)

[Centers for Medicare & Medicaid  
Services](#)

[Defense Acquisition Regulations  
System](#)

[Federal Acquisition Regulatory  
Council](#)

[Federal Aviation Administration](#)

[Federal Bureau of Investigation](#)

[Federal Deposit Insurance Corp.](#)

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### 9th Circ. Judge Questions Vagueness Of 'Moral Turpitude'

A Ninth Circuit panel on Thursday found that a Mexican man's state robbery conviction is not a crime of "moral turpitude" under the federal immigration statute, a ruling that could make him eligible to cancel his deportation. But one of the judges called on the courts to rethink the law's language, saying the more-than-century-old phrase may be unconstitutionally vague.

[Read full article »](#)

### DHS Seeks To Deport Migrant Youth Amid System 'Meltdown'

U.S. Department of Homeland Security Secretary Kirstjen Nielsen has asked Congress for the authority to deport unaccompanied Central American migrant children and detain families ahead of court hearings, citing a "systemwide meltdown."

[Read full article »](#)

### DHS To Add 30K H-2B Visas, Calls On Congress To Raise Cap

The U.S. Department of Homeland Security said Friday it will set aside an additional 30,000 H-2B visas this year for temporary migrant workers, marking the third consecutive year that the agency has made room for extra visas amid calls on Congress to raise the statutory cap.

[Read full article »](#)

### Scholars Back Bill To Curb President's Travel Ban Powers

Dozens of immigration law professors and scholars on Friday threw their support behind upcoming draft legislation to curb the president's authority under the law that allowed President Donald Trump to hand down his so-called travel ban targeting citizens from several Muslim-majority nations.

[Read full article »](#)

## TELECOMMUNICATIONS

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### Ohio Town Passed Law To Thwart Cell Tower, Suit Says

An Ohio village passed a law to retroactively limit the height of structures within city limits after learning a wireless tower company broke ground on a then-legal cell tower project, according to a suit filed Thursday in Ohio federal court.

[Read full article »](#)

## TAX

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### Split 9th Circ. Nixes Koch Bros. Foundation's Donor List Fight

In a published decision Friday, a split en banc Ninth Circuit declined to reconsider an earlier ruling upholding a California law requiring charitable organizations to disclose to the state information on their biggest donors, much to the chagrin of two conservative advocacy groups, including one founded by the Koch brothers.

[Read full article »](#)

### Wayfair Rules To Take Effect In Calif., But Fast Changes Loom

California is set to change the national sales tax landscape Monday by enacting provisions that would require remote sellers to collect and remit sales tax to the state — but under rules that the state Legislature could change within days.

[Read full article »](#)

Federal Reserve Bank of Boston  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Internal Revenue Service  
Judicial Conference of the United States  
NATO  
National Park Service  
National Security Agency  
Office of the Comptroller of the Currency  
Securities and Exchange Commission  
Small Business Administration  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
U.S. Supreme Court  
U.S. Tax Court  
World Trade Organization

## EXPERT ANALYSIS

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### **How The SEC's New Filing Rule Addresses Data Security**

The U.S. Securities and Exchange Commission recently issued an interim final rule changing its requirements for when and how certain investment funds must file monthly reports, which should alleviate some industry concerns about the security of sensitive data that funds must transmit to the SEC, say attorneys at Dechert.

[Read full article »](#)

### **Proposed Foreign Income Tax Regs Were Worth The Wait**

On March 6, the U.S. Department of the Treasury proposed taxpayer-friendly regulations on the new Internal Revenue Code foreign income tax section, opening the door for U.S. companies to leverage the direct foreign sales corporate tax rate benefit, says Rick Minor of Womble Bond Dickinson.

[Read full article »](#)

### **Managing Gov't Supply Chain In An Age Of Protectionism**

Aerospace, defense and government services companies must be prepared for significant supply-chain management challenges from the U.S., including recent efforts to encourage government contractors to use U.S.-manufactured materials, more aggressive enforcement of customs and duties laws, and increased enforcement under the False Claims Act, say attorneys at Hogan Lovells.

[Read full article »](#)

### **Tax Perspectives On Kisor V. Wilkie: Part 1**

On March 27 the U.S. Supreme Court heard oral argument in Kisor v. Wilkie, a veterans' benefits case that could drastically change the nature of federal, state and local tax controversies, say attorneys at Eversheds Sutherland.

[Read full article »](#)

## LEGAL INDUSTRY

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### **Analysis**

#### **3 Mistakes Law Firms Make Dealing With Attorney Addiction**

Law firms can go astray in numerous ways when faced with an attorney who is struggling with a substance abuse problem, and an inappropriate response could harm the individual and the organization. Here are three common pitfalls for firms in approaching attorney addiction.

[Read full article »](#)

#### **Thomas Rejects Retirement, Says Faith Enhances His Oath**

U.S. Supreme Court Justice Clarence Thomas squashed retirement rumors over the weekend at a Pepperdine School of Law dinner and said his religious faith makes him more diligent, and not biased, in his duties.

[Read full article »](#)

### **Analysis**

#### **Rosenstein Built A Policy Legacy, One Tweak At A Time**

While history will remember Deputy U.S. Attorney General Rod Rosenstein for his pivotal role overseeing the Mueller investigation, he also left a quieter legacy of clarifying and streamlining policies and supporting U.S. Department of Justice prosecutors.

[Read full article »](#)

### **Bush v. Gore Atty Calls Arrest Account 'Substantially Untrue'**

Miami-based attorney Joseph Klock Jr., known for his role in the legal battle over the 2000 presidential election, is disputing the police account of events that led to him being charged with resisting arrest as police investigated a possible shooting on his property.

[Read full article »](#)

### **Pelvic Mesh MDL Fee Committee Accused Of Self-Dealing**

A group of firms that worked on cases for plaintiffs in the multidistrict litigation over pelvic mesh implants has accused fee committee members of self-dealing and obscuring the process of divvying up the case's proceeds.

[Read full article »](#)

### **Interview**

### **Bouchard Steers Tight Chancery Court Ship Into The Future**

Wary of rising and more complex caseloads and competing business litigation venues, Delaware's Chancery Court is quietly tightening courtroom schedules and giving closer scrutiny to fast-track requests, Chancellor Andre G. Bouchard told Law360 in an exclusive interview this week.

[Read full article »](#)

### **Linklaters Managing Partner Reappointed To Three-Year Term**

International powerhouse Linklaters LLP announced Friday it has reappointed its firmwide managing partner to another three-year term, stressing the quality of legal work during his tenure.

[Read full article »](#)

### **WilmerHale Hires Back Former SEC Commish From Mylan**

Mylan's Chief Legal Officer and former SEC Commissioner Daniel Gallagher is set to leave the pharmaceutical giant and rejoin WilmerHale as the law firm's securities department deputy chair, according to a Friday announcement.

[Read full article »](#)

### **The Top In-House Hires Of March**

The high-profile legal department hires and promotions of March included appointments at Wells Fargo, Comcast, Ticketmaster, Dunkin' and the FDIC. Here, Law360 looks at these and some of the other top in-house announcements from the past few weeks.

[Read full article »](#)

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

General counsel named 18 attorneys for their unwavering commitment to clients in a new report, the U.S. House passed a bill to toughen the Equal Pay Act, and Harvard law students escalated their pressure to end so-called coercive contracts in the legal industry. These are some of the stories in legal news you may have missed in the past week.

[Read full article »](#)

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

[Read full article »](#)

### **Podcast**

## Law360's Pro Say: There's Corn Syrup In The Beer!

The beer wars moved from the barroom to the courtroom this week, as MillerCoors filed a false advertising lawsuit over Bud Light ads that say Miller Lite is made with corn syrup. Those ads might be technically true, but on this week's Pro Say our own Bill Donahue walks us through why that might not matter.

[Read full article »](#)

### **JOBS**

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#### **Immigration Attorney**

Howard & Howard  
Chicago, Illinois

#### **Telecommunications Associate - Mid Level - Portland**

Davis Wright Tremaine LLP  
Portland , Oregon

#### **Pro Bono Fellowship: Any McCarter & English Office**

McCarter & English, LLP  
Newark, New Jersey

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### **LAW FIRMS**

Jones Day  
Quinn Emanuel  
Dorsey & Whitney  
Hogan Lovells  
Kirkland & Ellis  
Mayer Brown  
McCarter & English  
Sidley Austin  
Aylstock Witkin  
Baker Botts  
BakerHostetler  
Berg & Androphy  
Blank Rome  
Blasingame Burch  
Bryan Cave  
Clark Love  
Connell Foley  
Cornerstone Law Group  
Covington & Burling  
Crowell & Moring  
DLA Piper  
Davis Polk  
Day Pitney  
Dechert  
Dentons  
Eckert Seamans  
Einhorn Harris  
Eversheds Sutherland  
Faegre Baker  
Franczek Radelet  
Friedlander & Gorris  
Greenbaum Rowe  
Greenberg Traurig

Holland & Hart  
Holland & Knight  
Jenner & Block  
Jomarron Lopez  
Kaufman Dolowich  
Kline & Specter  
Latham & Watkins  
Linklaters  
Mazie Slater  
McCarthy & Holthus  
Milligan Pusateri Co LPA  
Morgan Lewis  
Morrison & Foerster  
Motley Rice  
Nelson Mullins  
Norton Rose Fulbright  
O'Melveny & Myers  
Partridge Snow  
Paul Hastings  
Pierce Atwood  
Rasco Klock  
Richards Layton  
Robins Kaplan  
Shaw Keller  
Skadden  
Sonosky Chambers  
Stoll Berne  
Sullivan & Cromwell  
Swanson Martin  
Trucker Huss  
Venable LLP  
WilmerHale  
Withers  
Womble Bond Dickinson

#### COMPANIES

American Bar Association  
American Civil Liberties Union  
Google Inc.  
Sierra Club  
Twitter Inc.  
Wal-Mart Stores Inc.  
Wells Fargo & Co.  
AT&T Inc.  
Ahtna Inc.  
Akorn Inc.  
Alliance Defending Freedom  
Amazon.com Inc.  
American Bankers Association  
American Enterprise Institute  
Anheuser-Busch Inbev SA/NV

Apple Inc.  
Applebee's International Inc.  
Avalara Inc.  
BB&T Corp.  
BP p.l.c.  
BTI Consulting Group Inc.  
Baskin-Robbins Inc.  
Bass Pro Shops  
Boston Scientific Corp.  
Cabela's Inc.  
California Trucking Association  
Chevron Corp.  
Citigroup Inc.  
Coinbase Inc.  
Comcast Corp.  
CoreLogic Inc.  
Dunkin' Brands Group Inc.  
Dynamex, Inc.  
Electronic Privacy Information Center  
Essendant Inc.  
Ethiopian Airlines Enterprise  
Facebook  
Fannie Mae  
Federalist Society  
Fifth Third Bancorp  
Fresenius Kabi AG  
Fresenius Medical Care AG & Co. KGAA  
Hazelden Betty Ford Foundation  
Infosys Ltd.  
Instagram Inc.  
International Business Machines Corp.  
Johnson & Johnson  
KBW, Inc.  
Lloyds Banking Group PLC  
Magnetar Capital LLC  
Metro-Goldwyn-Mayer Studios Inc.  
Meyers, Harrison & Pia LLC  
Microsoft Corp.  
MillerCoors LLC  
Monsanto Co.  
Morgan Stanley  
Mylan NV  
National Employment Law Project  
Natural Resources Defense Council  
New Century Financial  
New Jersey Civil Justice Institute  
New Jersey State Bar Association  
New York Times Co.  
Nike Inc.  
NxStage Medical, Inc.  
Panera Bread Company  
Planned Parenthood Federation



Point72 Asset Management LP  
Publix Super Markets Inc.  
Purdue Pharma LP  
Red Hat Inc.  
Shire PLC  
Staples Inc.  
Stryker Corp.  
Suntrust Banks Inc.  
TechFreedom  
The Boeing Company  
Ticketmaster Entertainment, Inc.  
TowerCo LLC  
TransCanada Corporation  
Treasury Wine Estates Ltd.  
UnitedHealth Group Inc.  
Wayfair LLC  
Wilmington Trust Corp.  
Zappos.com Inc.  
eBay Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Securities and Exchange Commission  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of State  
Federal Trade Commission  
Internal Revenue Service  
Centers for Medicare & Medicaid Services  
Federal Aviation Administration  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of the Treasury  
U.S. House of Representatives  
U.S. Senate  
Alaska Legislature  
Bureau of Citizenship and Immigration Services  
Bureau of Reclamation  
California Attorney General's Office  
California Department of Tax and Fee Administration  
California Environmental Protection Agency  
California Labor and Workforce Development Agency  
California State Treasurer's Office  
California Supreme Court  
Defense Acquisition Regulations System  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.

Federal Reserve Bank of Boston  
Federal Reserve System  
Food and Drug Administration  
Judicial Conference of the United States  
NATO  
National Park Service  
National Security Agency  
Office of the Comptroller of the Currency  
Small Business Administration  
U.S. Department of Transportation  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
U.S. Tax Court  
World Trade Organization

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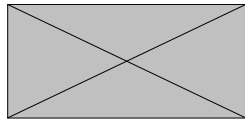
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 2/29/2016 9:16:23 AM  
**Subject:** [Marketing Mail] Hatch Reiterates GOP Refusal To Look At High Court Nominee



PUBLIC POLICY

Monday, February 29, 2016

## TOP NEWS

### Hatch Reiterates GOP Refusal To Look At High Court Nominee

Senate Judiciary Committee member Orrin Hatch, R-Utah, on Friday continued to defend Senate Republicans' block on replacing late U.S. Supreme Court Justice Antonin Scalia, as dozens of advocacy groups urged committee members to reconsider their refusal to hold a hearing on any nominee.

### Net Neutrality Stifled Broadband Investment, FCC's Pai Says

The Federal Communications Commission's expanded regulatory scheme imposed through its Open Internet Order led to stagnation in broadband investment over the past year, FCC Commissioner Ajit Pai said Friday, slamming the order as a misguided political move.

### Sen. Says Fed Rules Are 'Wet Blanket' On Energy Growth

Sen. John Cornyn told energy industry leaders Friday that President Barack Obama's plans to curb carbon emissions are a "wet blanket of federal regulatory overreach" and that the U.S. should help its allies through increased fuel sales.

### More States Join Fight Against Obamacare Tax On Medicaid

Three Midwest states have joined the Texas-led challenge to the Affordable Care Act tax levied on state Medicaid managed care organizations, Texas Attorney General Ken Paxton said Friday, bringing the number of states opposing the tax to six.

### House To Propose FAA Funding Extension Amid Overhaul Row

House lawmakers plan on introducing a stopgap funding extension for the Federal Aviation Administration as they continue to spar over a controversial proposal in the long-term funding bill to spin off the nation's air traffic control into an independent, nonprofit-run corporation.

### Former Pa. Govs Push For End To Appellate Court Elections

Three former Pennsylvania governors Friday threw their weight behind a bipartisan bill currently awaiting a vote in the state House that would replace judicial elections for appellate court seats with a merit selection system.

## ANALYSIS

### Meet The Attys Arguing Supreme Court Abortion Showdown

When the U.S. Supreme Court hears a momentous abortion case on Wednesday, the arguments will come from two young litigators known for staying cool even when judicial fire rains down from a hot bench.

### Model Tax Treaty Eases Fears With Binding Arbitration

In its update to the model U.S. tax treaty, the U.S. Department of the Treasury has included a provision for mandatory binding arbitration of international tax disputes,

## LAW FIRMS

Acosta  
Akin Gump  
Alston & Bird  
Andrews Kurth  
Arent Fox  
Arnold & Porter  
Baker & McKenzie  
Bilzin Sumberg  
Bond Schoeneck  
Bracewell LLP  
Bryan Cave  
Caplin & Drysdale  
Carter Ledyard  
Chadbourne & Parke  
Cleary Gottlieb  
Consovoy McCarthy  
Covington & Burling  
Cravath Swaine  
Crowell & Moring  
DLA Piper  
Davis Polk  
Debevoise & Plimpton  
Dentons  
Dewey & LeBoeuf  
Dickstein Shapiro  
Dorsey & Whitney  
Fisher & Phillips  
Fried Frank  
Gibson Dunn  
Goodell DeVries  
Greenberg Traurig  
Hall Booth  
Hausfeld  
Hogan Lovells  
Holland & Knight  
Hueston Hennigan  
Irell & Manella  
Jackson Walker  
Jenner & Block

CLV000874

a move experts say should mollify multinationals' fears of double taxation in an era of increased compliance burdens.

### **CFPB Lending Tussle Echoes Early Days Of Tribal Gambling**

The Consumer Financial Protection Bureau's plan to regulate tribal lenders and other providers of short-term, often-high-interest loans comes at a sensitive stage for tribes' involvement in the industry, as their efforts to kick-start lending businesses under the wary eye of the federal government recall the days before tribal gambling took off.

### **4 Go-To Firms For The Railroad Industry**

Major transportation companies face a broad range of issues requiring legal assistance, from high-stakes litigation, to regulatory challenges and massive merger deals. Railroads are no exception, recently tapping these four "go-to" firms for major legal matters.

## **BANKING & SECURITIES**

### **11th Circ. Struggles With Challenges To SEC In-House Court**

The ability of defendants to mount a challenge to the U.S. Securities and Exchange Commission's administrative law process took the stage at the Eleventh Circuit on Wednesday, but the court's chief judge expressed confusion about how to apply seemingly divergent U.S. Supreme Court views to the issue.

### **Chinese Regulators Deny Rumors Of Listing Rule Change**

Chinese regulators said Friday that there would be no immediate changes to the approval process for initial public offerings ahead of the implementation of a new registration-based IPO system, quelling rumors that fueled a market slide Thursday, according to reports.

## **ENERGY & ENVIRONMENTAL**

### **House Passes Bill To Expand Hunting On Federal Lands**

The U.S. House of Representatives on Friday passed legislation to broaden access to hunting, fishing and recreational shooting on federal lands, as well as to authorize imports of some contentious wildlife trophies and exempting lead ammunition and fishing tackle from certain environmental regulations.

### **EPA Says Free Market Group Can't Weigh In On Emissions Suit**

The U.S. Environmental Protection Agency has asked the D.C. Circuit to deny a request by a "free market environmentalism" group to file a separate brief in litigation over a plan to reduce greenhouse gas emission from power plants.

### **Fracking Bill Has One More Shot In Fla. Senate**

The Florida Senate Appropriations Committee on Thursday narrowly voted down a controversial bill that would establish regulations for fracking, but shortly after put it back on the agenda to give it one more chance on Tuesday.

## **HEALTH & LIFE SCIENCES**

### **Sen. Dems. Want Paid-Off Medical Debt Out Of Credit Scores**

Democrats have introduced a bill in the U.S. Senate that would alter the Fair Credit Reporting Act to prevent paid or settled medical debt from affecting consumers' credit scores, in line with settlements by the New York attorney general and a 2015 bill in the House of Representatives.

### **Fla. Appeals Court Reverses Hold On Abortion-Delay Law**

A Florida appeals court on Friday berated a state trial court judge for blocking a law requiring women to wait 24 hours before undergoing an abortion, saying he

Jones Day  
Keker & Van Nest  
Kelley Kronenberg  
Kilpatrick Townsend  
Kirkland & Ellis  
Knobbe Martens  
Latham & Watkins  
Lewis Roca  
Mayer Brown  
McConnell Valdes  
McKool Smith  
Morgan Lewis  
Morrison & Foerster  
Munger Tolles  
Norton Rose Fulbright  
Paul Weiss  
Pillsbury Winthrop  
Rimon PC  
Robbins Russell  
Shook Hardy  
Sidley Austin  
Skadden  
Susman Godfrey  
Vinson & Elkins  
Wachtell Lipton  
Weil Gotshal  
White & Case  
Williams & Connolly  
WilmerHale  
Yetter Coleman

## **COMPANIES**

AOL Inc.  
AT&T Inc.  
Air Transport Association of America  
Altria Group Inc.  
Alvarez & Marsal LLC  
America Fujikura Ltd.  
American Airlines Group Inc.  
American Bar Association  
American Chemistry Council Inc.  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
Apple Inc.  
Associated Press  
Association of American Railroads  
Astronics Corporation  
BNSF Railway  
Bright House Networks LLC

had made the call without sufficient evidence before him.

## MEDIA & ENTERTAINMENT

### Texas Racing Commission Gets Funding Through 2017

Just days before funding was set to run out for the Texas Racing Commission, which would have brought an end to horse and greyhound racing statewide, the Legislative Budget Board approved funding for the organization Thursday that will allow it to operate through August 2017.

## TRANSPORTATION & INFRASTRUCTURE

### NHTSA's Oversight Improvements Fall Short, Watchdog Says

The National Highway Traffic Safety Administration still hasn't properly shored up its investigation of vehicle defects in the wake of high-profile recalls of millions of vehicles by Toyota Motor Corp. over sudden acceleration in certain models and General Motors Co.'s ignition switch scandal, a watchdog unit of the U.S. Department of Transportation has said.

## EMPLOYMENT

### Union Elections Shorter In NLRB Rule's First 9 Months

The time it takes to conduct a union election has dropped from 38 to 24 days in the nine months since the National Labor Relations Board's election rule designed to streamline the process came into effect, the agency said Thursday.

### Ill. Public University Says Layoffs Loom Without Budget

Chicago State University, one of Illinois' public colleges, announced Friday it will issue potential layoff notices to all of its staff if the state doesn't resolve its ongoing budget crisis.

### Democratic Lawmakers Float Wall Street Whistleblower Bill

Democrats in the House and the Senate have introduced legislation that would prohibit employers from forcing employees to waive whistleblowing rights and increase awards to whistleblowers under certain bank fraud statutes.

## COMPETITION

### Ill. Lawmaker Seeks New Trial After Witness Doesn't Testify

Convicted Illinois state representative Derrick Smith, D-Chicago, took his case to the Seventh Circuit on Friday, arguing that he should be granted a new trial because he never got the chance to question the FBI informant that allegedly paid for his support of a state grant application.

## PRIVACY & CONSUMER PROTECTION

### DraftKings, FanDuel Back Ill. Law Regulating Fantasy Sports

A trade organization for daily sports fantasy sites like DraftKings and FanDuel is supporting an Illinois House bill that would alter the state's gambling laws to allow betting on fantasy sports teams with some regulation, the group announced Thursday.

## PRODUCT LIABILITY

### RJ Reynolds Asks DC Circ. To Re-Evaluate Menthol Cig Study

CSX Corporation  
Caesars Entertainment  
Caesars Entertainment Operating Co. Inc.  
Cara Operations Ltd.  
Charter Communications Inc.  
Coyote Logistics LLC  
Delta Air Lines Inc.  
Deutsche Lufthansa AG  
DraftKings Inc.  
ESPN Inc.  
Edge International Inc.  
Equifax Inc.  
Experian  
Facebook  
FanDuel Inc.  
Florida Bar Association  
General Motors  
Georgia-Pacific LLC  
Goldman Sachs Group Inc.  
Google Inc.  
Horizon Lines, Inc.  
IHS Incorporated  
Johnson & Johnson  
KBR, Inc.  
Kinder Morgan  
LegalZoom.com Inc.  
Liberty Media Corp.  
LinkedIn Corp.  
Major League Baseball Inc.  
Matson Inc.  
NFL Enterprises LLC  
National Consumer Law Center  
National Railroad Passenger Corporation  
National Restaurant Association  
Overstock.com Inc.  
Pfizer Inc.  
Philip Morris International Inc.  
Planned Parenthood Federation  
R.J. Reynolds Tobacco Co.  
Siemens AG  
Sierra Club  
Southwest Airlines Co.  
Specialty Restaurants Corp.  
Spokeo Inc.  
The Bank of Nova Scotia  
Time Warner Cable  
Toyota Motor Corporation  
TransUnion LLC  
Trinity Industries Inc.  
U.S. Airways Group Inc.

CLV000876

R.J. Reynolds urged the D.C. Circuit on Friday to reconsider a U.S. Food and Drug Administration panel’s study on a proposed ban on menthol cigarettes, saying an earlier finding that the tobacco company hadn’t shown actual or imminent harm from the report conflicts with circuit precedent.

**USDA Says DC Circ. Needn't Revisit Poultry Inspection Rule**

The U.S. Department of Agriculture says the D.C. Circuit got it right by upholding the dismissal of a food safety group’s challenge to the agency’s new set of poultry inspection rules for lack of standing, and the agency urged the appellate court on Thursday not to revisit the issue.

**INTERNATIONAL TRADE**

**US, EU Swap Regulatory Cooperation Offers In TTIP**

U.S. and European Union officials on Friday wrapped up the latest negotiations for the Transatlantic Trade and Investment Partnership in Brussels, where the two sides exchanged new offers that would enhance their cooperation with regard to regulations on products ranging from cars to medicines.

**USTR Asks Peru To Investigate Timber Shipment**

In an effort to combat illegal logging in Peru, the Office of the United States Trade Representative has asked Peru’s government to verify that a timber shipment from the country to the U.S. complies with Peruvian forestry laws and regulations, the office said Friday.

**BANKRUPTCY**

**PREPA Lenders Tell Justices Puerto Rico Debt Law Preempted**

Puerto Rican banks that have lent more than \$550 million to the island’s distressed utility PREPA have urged the U.S. Supreme Court to let stand rulings that scuttled legislation that would have created a local regime for restructuring the territory’s debt, saying it’s at odds with federal bankruptcy law.

**IMMIGRATION**

**DOL Fights Shepherds' Bid For Quick End To H-2A Wage Fight**

The U.S. Department of Labor on Thursday urged a District of Columbia federal court to toss or pause a “premature” motion by a putative class of shepherds for a quick end to a case in which they allege that the H-2A visa program’s wage rule depresses pay.

**NATIVE AMERICAN**

**EPA Says Navajo Enviro's Trying To Sneak In Rule Challenge**

The U.S. government has told a California federal court that a suit by Navajo environmental groups alleging the Environmental Protection Agency and Department of the Interior went behind their backs to exempt a coal-fired power plant from emissions requirements is another attempt to overturn an EPA rule that belongs in circuit court.

**TELECOMMUNICATIONS**

**Rubio, Cruz Mark Net Neutrality Anniv. With Bill To Kill It**

A group of eight Republican senators — including presidential contenders Marco Rubio of Florida and Ted Cruz of Texas — introduced a bill on Thursday that would reverse the Federal Communications Commission’s year-old net neutrality

U.S. Chamber of Commerce  
Union Pacific Corporation  
United Parcel Service Inc.  
Verizon Communications  
Vivendi SA  
Yahoo! Inc.

**GOVERNMENT AGENCIES**

Agency for International Development  
Army Corps of Engineers  
Bureau of Labor Statistics  
Bureau of Land Management  
Bureau of Reclamation  
Cabazon Band of Mission Indians  
Coeur d'Alene Tribe  
Consumer Financial Protection Bureau  
Corporation for National and Community Service  
Department of Agriculture  
Department of Health and Human Services  
Department of Homeland Security  
Department of Labor  
Department of the Interior  
Environmental Protection Agency  
Equal Employment Opportunity Commission  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Federal Motor Carrier Safety Administration  
Federal Reserve System  
Fish and Wildlife Service  
Food and Drug Administration  
Habitat for Humanity  
International Monetary Fund  
Library of Congress  
NATO  
National Aeronautics and Space Administration  
National Highway Traffic Safety Administration  
National Indian Gaming Commission  
National Institutes of Health  
National Labor Relations Board  
Navajo Nation



decision and bar the commission from replacing it.

**More Stations Sue FCC Over Incentive Auction Eligibility**

Three low-power television providers have asked the D.C. Circuit to order a Federal Communications Commission review of the eligibility rules for the agency’s broadcast incentive auction, saying the FCC’s rules are inconsistent and unfairly exclude most LPTV stations.

**PENNSYLVANIA**

**Pa. Judge Nominees Shut Out Of Senate Hearing**

Two judges the president nominated for Pennsylvania federal court vacancies will keep waiting for a date in front of the Senate Judiciary Committee, after they were left off a March hearing list despite pressure from the state’s Republican U.S. senator, Pat Toomey, to confirm them.

**PEOPLE**

**4 Bracewell Attys Follow Giuliani To Greenberg Traurig**

Four more lawyers have left Bracewell LLP in the wake of name partner and former New York mayor Rudy Giuliani’s departure, taking their expertise in advising clients in white collar matters and government policy and following Giuliani to Greenberg Traurig LLP, the firm said Friday.

**EXPERT ANALYSIS**

**High Noon In America: Executive Orders After Justice Scalia**

Whatever a person’s view on DAPA, the dispute over President Obama’s executive order affects the fundamental relationship between the powers of the executive and the legislative branches, and the consequences of the ruling will stretch years into the future. Thus, whoever replaces Justice Scalia could be far more important than who is to become our next president, says Francis Drelling, general counsel for Specialty Restaurants Corp.

**In Congress: Opioids, EPA, Medicaid**

The House and Senate have full agendas this week, with Senate floor activity focused on bipartisan legislation aimed at tackling drug addiction and the House activity centered on delaying a U.S. Environmental Protection Agency rule and addressing issues with health care providers terminated from Medicaid programs, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP.

**High Court Should Look At Texas House Bill 2 In Context**

On March 2, the U.S. Supreme Court will hear argument in Whole Woman’s Health v. Hellerstedt to determine whether Texas House Bill 2 places an “undue burden” on a woman’s right to obtain an abortion. The court should consider Texas’ sustained failure to help women when evaluating whether the stated purpose of H.B. 2 withstands constitutional scrutiny, say Jenner & Block LLP attorneys who represented parties filing an amicus brief in the case.

**Sovereign Immunity For Tribal Officials At Risk**

Tribal officials have long relied on the doctrine of official sovereign immunity to shield them from liability for official acts within the scope of their authority. In at least two circuit courts, the doctrine is imperiled and its future use to defend litigation has been dramatically curtailed, say Rob Roy Smith and Claire Newman of Kilpatrick Townsend & Stockton LLP.

**LEGAL INDUSTRY**

**5 Ways To Crank Up Your Networking Game**

Office of the U.S. Trade Representative  
Pala Band of Mission Indians  
Securities and Exchange Commission  
Surface Transportation Board  
Texas Racing Commission  
Transportation Security Administration  
U.S. Army  
U.S. Census Bureau  
U.S. Customs and Border Protection  
U.S. Department of Justice  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Postal Service  
U.S. Senate  
U.S. Supreme Court

Networking is integral to helping grow any practice, but it's easy for attorneys to neglect this aspect of their career as they hunker down to the work at hand. Here, experts offer some tips about how attorneys can step up their networking game and ensure the work that keeps them so busy keeps coming in.

## **5 Go-To Boutique Trial Firms**

Clients seeking top-notch representation at trial don't always need a BigLaw firm's multiple foreign offices, overwhelming manpower and the accompanying price tag. Oftentimes, a more nimble, specialized firm can do the trick, and that's where the growing boutique trial firm industry comes into play.

## **The Incredible, Shrinking Dewey & LeBoeuf Fraud Case**

The two ex-Dewey & LeBoeuf LLP executives facing charges left over from last year's jury trial each defeated 15 more felony counts Friday, further diminishing the once-massive criminal fraud conspiracy case in the run-up to a much narrower trial — if there will be one at all.

## **Dewey Execs Escape Larceny Charges Ahead Of 2nd Trial**

A New York judge on Friday threw out charges of grand larceny against two former top executives of Dewey & LeBoeuf LLP, but declined to nix fraud and conspiracy counts, setting the stage for a slimmed-down second trial over allegations they defrauded the law firm's financial backers prior to its collapse.

## **Dentons Wants \$2M Repayment From Ex-McKenna Partners**

Dentons has demanded that certain former partners of McKenna Long & Aldridge LLP pay back \$1.9 million they were allegedly overpaid in 2012 when Luce Forward Hamilton & Scripps was swallowed up by McKenna, according to a letter made public Thursday.

## **2 More Firms Beef Up Revenues While Another Pair Falters**

DLA Piper grossed \$2.54 billion last year to notch a 2.5 percent boost over 2014 while Lewis Roca Rothgerber Christie LLP's revenue grew 1.5 percent to \$124.3 million, the firms confirmed Friday, though Pillsbury Winthrop Shaw Pittman LLP and Andrews Kurth LLP reported declines.

## **GC Cheat Sheet: The Hottest Corporate News Of The Week**

A ban on employee tip-pooling and one state's "Amazon tax" are safe for now, but inversion earnings stripping and duty evasion are in the crosshairs. Here's the corporate news you may have missed last week.

## **Florida Bar Finds Gender Bias Still Rampant**

Young female attorneys are still regularly experiencing gender bias in their legal careers and encountering roadblocks to achieving work-life balance, according to a Florida Bar survey released Friday.

## **Litigation Funder Makes Bid For BigLaw's Unpaid Fees**

A recent move by the largest U.S. litigation funder into the purchase of unpaid BigLaw fees represents a next step for an industry looking for ways to profit from legal matters, experts said, and an option for firm leaders looking to hasten the onerous collections process.

## **Hogan Lovells Opens US Business Services Center In Ky.**

Hogan Lovells will open its second global business center by late summer, this one located in Louisville, Kentucky, halfway across the world from its first back office in Johannesburg, South Africa, the firm said on Thursday.

## **Trial Boutique Wilkinson Walsh Doubles Size In 4 Weeks**

The boutique launched weeks ago by two former Paul Weiss Rifkind Wharton & Garrison LLP trial superstars has already hired a dozen more lawyers, doubling its head count since it opened its doors, the founders said in an exclusive interview Friday.



## In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

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Gibson Dunn  
Hogan Lovells  
Jenner & Block  
Kilpatrick Townsend  
Kirkland & Ellis  
Mayer Brown  
Norton Rose Fulbright  
Pillsbury Winthrop  
Sidley Austin  
Acosta  
Akin Gump  
Alston & Bird  
Andrews Kurth  
Arent Fox  
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Bilzin Sumberg  
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Consovoy McCarthy  
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Crowell & Moring  
Davis Polk  
Debevoise & Plimpton  
Dickstein Shapiro  
Dorsey & Whitney  
Fisher & Phillips  
Fried Frank  
Goodell DeVries  
Hall Booth  
Hausfeld  
Holland & Knight  
Hueston Hennigan

Irell & Manella  
Jackson Walker  
Jones Day  
Keker & Van Nest  
Kelley Kronenberg  
Knobbe Martens  
Lewis Roca  
McConnell Valdes  
McKool Smith  
Morgan Lewis  
Morrison & Foerster  
Munger Tolles  
Paul Weiss  
Rimon PC  
Robbins Russell  
Shook Hardy  
Skadden  
Susman Godfrey  
Vinson & Elkins  
Wachtell Lipton  
Weil Gotshal  
White & Case  
Williams & Connolly  
WilmerHale  
Yetter Coleman

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American Federation of Labor and Congress of Industrial Organizations  
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LinkedIn Corp.  
Sierra Club  
AOL Inc.  
AT&T Inc.  
Air Transport Association of America  
Altria Group Inc.  
Alvarez & Marsal LLC  
America Fujikura Ltd.  
American Airlines Group Inc.  
American Bar Association  
American Chemistry Council Inc.  
American Civil Liberties Union  
Associated Press  
Association of American Railroads  
Astronics Corporation  
BNSF Railway  
Bright House Networks LLC  
CSX Corporation  
Caesars Entertainment  
Caesars Entertainment Operating Co. Inc.

Cara Operations Ltd.  
Charter Communications Inc.  
Coyote Logistics LLC  
Delta Air Lines Inc.  
Deutsche Lufthansa AG  
DraftKings Inc.  
ESPN Inc.  
Edge International Inc.  
Equifax Inc.  
Experian  
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Florida Bar Association  
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Georgia-Pacific LLC  
Goldman Sachs Group Inc.  
Google Inc.  
Horizon Lines, Inc.  
IHS Incorporated  
Johnson & Johnson  
KBR, Inc.  
Kinder Morgan  
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Matson Inc.  
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National Railroad Passenger Corporation  
National Restaurant Association  
Overstock.com Inc.  
Pfizer Inc.  
Philip Morris International Inc.  
R.J. Reynolds Tobacco Co.  
Siemens AG  
Southwest Airlines Co.  
Specialty Restaurants Corp.  
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TransUnion LLC  
Trinity Industries Inc.  
U.S. Airways Group Inc.  
U.S. Chamber of Commerce  
Union Pacific Corporation  
United Parcel Service Inc.  
Verizon Communications  
Vivendi SA  
Yahoo! Inc.

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CLV000882

U.S. Supreme Court  
U.S. Department of Justice  
Environmental Protection Agency  
Federal Communications Commission  
Consumer Financial Protection Bureau  
Securities and Exchange Commission  
Army Corps of Engineers  
Department of Labor  
Federal Bureau of Investigation  
Federal Reserve System  
Food and Drug Administration  
National Labor Relations Board  
U.S. Department of Transportation  
Agency for International Development  
Bureau of Labor Statistics  
Bureau of Land Management  
Bureau of Reclamation  
Cabazon Band of Mission Indians  
Coeur d'Alene Tribe  
Corporation for National and Community Service  
Department of Agriculture  
Department of Health and Human Services  
Department of Homeland Security  
Department of the Interior  
Equal Employment Opportunity Commission  
Federal Aviation Administration  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Federal Motor Carrier Safety Administration  
Fish and Wildlife Service  
Hohokam Pomo of Upper Lake  
International Monetary Fund  
Library of Congress  
NATO  
National Aeronautics and Space Administration  
National Highway Traffic Safety Administration  
National Indian Gaming Commission  
National Institutes of Health  
Navajo Nation  
Office of the U.S. Trade Representative  
Pala Band of Mission Indians  
Surface Transportation Board  
Texas Racing Commission  
Transportation Security Administration  
U.S. Army  
U.S. Census Bureau  
U.S. Customs and Border Protection  
U.S. Department of the Treasury  
U.S. General Services Administration  
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U.S. Postal Service  
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**From:** Robert Song

**Sent:** Wed 8/8/2018 10:53:03 AM

**Subject:** 1. Quote of the day, 2. Robert Redford's Shocking Announcement, 3. Edward Snowden's Life in Russia After Leaking Classified Data, 4. Hollywood Removes Trump's Star from Walk of Fame, 5. Brand New KB H

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[IMG\\_5153.JPG](#)

[IMG\\_5222.JPG](#)

[IMG\\_5258.JPG](#)

Dear Friend, Amice, Paisano,  
Amichi, Amigo, Amiga, Pinoy,  
& Pinay,

-----

CLV000885

\*\*\* Justice, Bravery, Benevolence

Politeness, Veracity, Honor,

Loyalty, & Courtesy.

\*\*\* My New Phone #s:

1] M: 702-912-7174.

2] H: 702-889-0678 [Landline].

## 1. Quote of the day:

Success is a piece of mind which is a direct result of the self-satisfaction knowing you did your best to become the...

**John Wooden**

[read quote...](#)

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## Quote of the day

People become really quite remarkable when they start thinking that they can do things. When they believe in...

**Norman Vincent Peale**

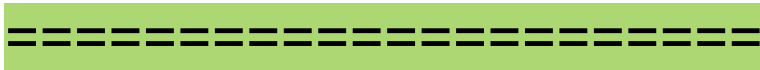
[read quote...](#)

## Verse of the day

Philippians 4:12

I know what it is to be in need, and I know what it is to have plenty. I have learned the secret of being content in any and every situation, whether well fed or hungry, whether living in plenty or in want.

[read more verses...](#)



## 2. Robert Redford's Shocking Announcement:

**Robert Redford's Shocking Announcement**

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**Fox News loses another correspondent**

**Omarosa drops huge bomb about Trump interview**

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[The top aide to former Trump campaign chairman Paul Manafort testified at trial on Tuesday th... more](#)

[reuters.com](#)

### 3. Edward Snowden's Life in Russia After Leaking Classified Data:

Sent: Monday, August 6, 2018, 7:54:25 AM PDT

Subject: Edward Snowden's Life in Russia After Leaking Classified Data

## Edward Snowden's Life in Russia After Leaking Classified Data

Five years ago former US National Security Agency (NSA) officer, whistleblower Edward Snowden...

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## Facebook and Apple remove pages and podcasts from Alex Jones for hate speech violations

Apple and Facebook clamped down on content by Alex Jones Monday....

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## Michelle Obama helps launch voter signup drive ahead of midterms

On the 53rd anniversary of the Voting Rights Act, former First Lady Michelle Obama announced Monday the launch of a new campaign....

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## Trump at a precarious moment in his presidency

In private, President Donald Trump spent much of the past week brooding....

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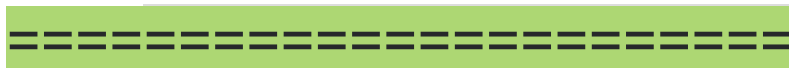
## Sarah Sanders Refuses to Say Press Isn't 'Enemy of the People'

A jawdropping exchange which

got the CNN reporter so frustrated

he eventually walked out

[Read More](#)



## 4. Hollywood Removes Trump's

Star from Walk of Fame:

## Hollywood Removes Trump's Star from Walk of Fame

West Hollywood City Council has approved a resolution to remove President Trump's star from the Hollywood Walk of Fame. "West Hollywood City council unanimously passes resolution asking the Hollywood Chamber of Commerce to remove the Donald Trump star on Hollywood Walk of Fame," Mayor John Duran tweeted following the vote. According to comments made during a meeting, the resolution "is not because of his conservative politics or his conservative policies. It is for the abuse of women, minorities, immigrants, the disabled...you've crossed a line of decency." But of course by that standard half of Hollywood's leading men might have to be removed as well. We're waiting with bated breath as to whether the city council will follow up in that respect.

You Might Like



### 5. Brand New KB Home For Rent:

Please call Bob at M: 702-912-7174 or

H: 702-889-0678 or

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Please see attachments at bottom:

IMG\_4688 to IMG\_5258: House, Gate

& Rooms.

=====

Robert Song

MSEE, Business Promoter,

Email Networking King

Retired owner of Pan-Am Legal

Services.

SRO [Senior Reactor Operator]

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Power Expert

Sr. Startup & Sr. Restart Engineer

for 18 Power & Atomic Bomb Plants.

Compliance Group Assistant

Manager on [10 CFR - Code of

Federal Regulations].

Sr. Procedure Writer etc. for Power

Plants & Atomic Bomb Plants.

at 17 (Cities), in 12 States in USA.

Helped Owner to make \$ 1 Million a

Day income

Which are Vital Critical Projects.

Grande USA Dept. Of Energy [DOE]

Q - Highest Classify Clearance

thru FBI.

Project Manager of Taiwan Power

Huge Project Plant.

Invited by China Leader [Chairman

Jiang] & Chief Ma of

Foreigner Expert Bureau Interviews

& Tours to the 10 Best

cities in China.

Silver Certificate of America Nuclear

Society (ANS).

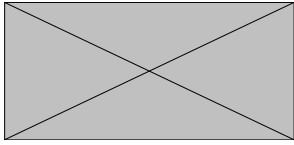
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 2/23/2018 9:18:32 AM  
**Subject:** SEC Case Exposes Justices' Rift Over 'Legislative History'



**PUBLIC POLICY.**

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**Friday, February 23, 2018**

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## TOP NEWS

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### Feature

#### **SEC Case Exposes Justices' Rift Over 'Legislative History'**

The Supreme Court's long-running tensions over the use of legislative history as a way to interpret law broke out into public view Wednesday in a case over the Dodd-Frank Act's whistleblower provisions, as Justices Sonia Sotomayor and Clarence Thomas clashed over the value of a Senate report. [Read more »](#)

#### **White House Atty: Chevron Deference A Priority For Judges**

President Donald Trump has prioritized rolling back the "administrative state," White House Counsel Don McGahn said Thursday, and part of that is looking at potential judicial nominees' experience with government regulation and major guideposts like Chevron deference. [Read more »](#)

### Analysis

#### **Facebook Shouldn't Expect 'Fake News' Legal Woes, For Now**

Social media sites are facing heightened scrutiny amid charges that an army of Russia-based "bot" accounts meddled in the 2016 U.S. presidential election, but companies like Facebook, Twitter and Google are largely immune from liability even if they unwittingly help spread propaganda, attorneys say. [Read more »](#)

### Analysis

#### **Pass-Throughs Await IRS Guidance Before Restructuring**

The recently passed federal tax cut bill slashed income tax rates for corporations, but in the absence of guidance from the Internal Revenue Service, some pass-through businesses are holding off on restructuring that might take advantage of the reduced rates. [Read more »](#)

### Analysis

#### **4 Things To Know As NLRB Joint Employer Saga Continues**

The National Labor Relations Board inspector general's recent conclusion that board member William Emanuel's ties to Littler Mendelson PC should have precluded him from voting to tighten the board's test for determining joint employment creates a murky scenario that puts the new employer-friendly standard at risk, attorneys say. [Read more »](#)

#### **UK Antitrust Agency Eyes Bigger Post-Brexit Role**

The United Kingdom's competition watchdog is eyeing a leading global enforcement role and greater ownership over U.K.-related mergers and cartel allegations after Britain leaves the European Union, the agency's general counsel said in a London speech Thursday. [Read more »](#)

#### **Trump's Ex-Campaign Officials Face New Tax, Fraud Charges**

Special Counsel Robert Mueller on Thursday unsealed a slew of new tax- and bank fraud-related criminal charges against President Donald Trump's former campaign officials Paul Manafort and Richard Gates, alleging they filed false income tax returns and failed to report foreign bank accounts. [Read more »](#)

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Earthjustice  
Eversheds Sutherland  
Fenwick & West  
Foley & Lardner  
Fox Rothschild  
Gibson Dunn  
Gupta Wessler  
Hogan Lovells  
Hueston Hennigan  
Husch Blackwell  
Jenner & Block  
Jones Day  
King & Spalding  
Littler Mendelson  
Locke Lord  
Massey & Gail  
Mayer Brown  
Morgan Lewis  
Morris Manning  
Morrison & Foerster  
Motley Rice  
Munger Tolles  
Ogletree Deakins  
Pashman Stein  
Pepper Hamilton

CLV000895



## ENERGY & ENVIRONMENTAL

### Montana Forest Wildfire Project Gets 9th Circ.'s Blessing

The Ninth Circuit on Thursday gave the go-ahead to the U.S. Forest Service's plan to reduce the wildfire threat in Montana's Gallatin National Forest, overruling environmentalists' arguments that the project would imperil the threatened Canada lynx. [Read more »](#)

### 7th Circ. Wants US Input On Ill. Nuke Subsidies

The Seventh Circuit on Wednesday asked the U.S. government to weigh in on whether Illinois' plan to subsidize nuclear power plants usurps federal authority over wholesale electricity markets, a sign that the appeals court is still struggling to decide the issue. [Read more »](#)

### More Yellowstone Bison Illegally Freed, Park Service Says

For the second time this year, dozens of bison were released from a holding area in Yellowstone National Park before officials could process them for slaughter or test them for disease, according to a statement from the park that characterized the incident as an act of "sabotage." [Read more »](#)

### NJ Sens. Move Bill To Raise \$300M In Nuke Plant Subsidies

A New Jersey legislative committee on Thursday released a bill that would establish a \$300 million nuclear plant subsidy from ratepayers in what advocates say will ensure the viability of two Public Service Enterprise Group Inc. power plants and advance the state's clean energy goals. [Read more »](#)

## REAL ESTATE

### Newark Accused Of Unlawfully Shielding Amazon HQ Docs

A New Jersey man has slammed Newark with a lawsuit in state court alleging the city unlawfully denied his public records request for documents related to its bid to land Amazon's second U.S. headquarters, citing "a compelling public interest" in learning such information. [Read more »](#)

## AEROSPACE & DEFENSE

### Senate Budget Chief Urges DOD To Show Audit Progress

Congress could hold back on proposed growth in the U.S. Department of Defense's budget if it doesn't assure lawmakers and the public that it is spending money wisely, including by demonstrating its progress on a pending department-wide audit, a senior GOP senator said Wednesday. [Read more »](#)

## INTERNATIONAL TRADE

### Japan Knocks Down Korea's Post-Fukushima Trade Barriers

The World Trade Organization on Thursday struck down South Korea's ban on Japanese fish in the wake of the 2011 Fukushima nuclear disaster, ruling that Seoul structured its safeguards in a way that was more trade-restrictive than necessary to protect public health. [Read more »](#)

## TAX

### Treasury Official Keeps Mum On BEAT Anti-Abuse Rules

Taxpayers can expect guidance dealing with how the new U.S. tax law's base erosion and anti-abuse measure will affect partnerships, a U.S. Department of Treasury official said Thursday at a conference in Houston, although he kept mum

Perkins Coie  
Richards Layton  
Seyfarth Shaw  
Sidley Austin  
Skadden  
Thompson Coburn  
Vinson & Elkins  
Walder Hayden  
Weinberg Roger  
Williams & Connolly

## COMPANIES

AT&T Inc.  
Amazon.com Inc.  
American Federation of Labor and Congress of Industrial Organizations  
American Immigration Council  
Apollo Global Management LLC  
Apple Inc.  
BGR Government Affairs LLC  
CNH Industrial NV  
Chevron Corporation  
Columbus McKinnon Corporation  
Comcast Corporation  
Diamond Resorts Holdings LLC  
Digital Realty Trust Inc.  
Douglas Dynamics, Inc.  
Ernst & Young  
Etsy Inc.  
Exelon Corporation  
Facebook  
Federal Communications Bar Association  
Florida Bar Association  
Gilead Sciences Inc.  
GitHub Inc.  
Google Inc.  
Instagram Inc.  
International Brotherhood of Electrical Workers  
Lord & Taylor LLC  
Los Angeles Times  
Magnetek, Inc.  
Merck & Co Inc.  
Microsoft Corporation  
Netflix Inc.  
New York Times Co.  
Oshkosh Corporation  
Pentair Inc.  
Public Knowledge  
Public Service Enterprise Group Inc.

on how the government would interpret its related authority to curb avoidance. [Read more »](#)

### **Tax Law Could Keep IP From Leaving, Treasury Official Says**

An international provision in the new tax law might not result in U.S. companies bringing intellectual property back home, but the measure could keep them from moving more assets outside of American borders, a U.S. Treasury official said Thursday at a conference in Houston. [Read more »](#)

### **Feds Ask DC Circ. To Reinstate Tax Preparer ID Fees**

Seeking to overturn a federal court decision, the IRS told the D.C. Circuit on Wednesday it had the authority to charge \$37.6 million in fees to issue and renew preparer tax identification numbers because a PTIN has value — it protects a tax preparer's Social Security number and helps the preparer avoid a penalty of up to \$25,000. [Read more »](#)

### **Chamber Seeks Clarity For Tax Law's Repatriation Rules**

The U.S. Chamber of Commerce has asked Treasury and IRS officials to clarify the terms of recent guidance that give multinational corporations some wiggle room in determining the amount of offshore income eligible for a one-time discounted tax rate under the newly enacted tax cut law. [Read more »](#)

## **IMMIGRATION**

### **Trump 'Thinking About' Pulling ICE Out Of California**

President Donald Trump suggested Thursday he is "thinking about" removing U.S. Immigration and Customs Enforcement officers from California in response to policies instituted by the state and several of its communities that he considers provide sanctuary to those unauthorized to be in the United States. [Read more »](#)

### **Immigration Law Allows Trump's Travel Ban, High Court Told**

The Trump administration on Thursday defended its ban on travel to the U.S. by nationals of several predominantly Muslim countries, telling the U.S. Supreme Court that the president acted at the height of his powers under federal immigration law and the U.S. Constitution. [Read more »](#)

### **USCIS Accused Of Wrongly Denying Green Cards**

Immigrants with temporary protected status on Thursday brought class claims that U.S. Citizenship and Immigration Services wrongfully denied their green card petitions on the basis that they initially entered the U.S. "without inspection." [Read more »](#)

### **Agricultural Visa Overhaul Added To Immigration Package**

Rep. Bob Goodlatte, R-Va., is pushing for an overhaul of temporary agricultural worker visas as part of a House immigration reform package, capturing the support of the House Freedom Caucus and industry groups. [Read more »](#)

## **TELECOMMUNICATIONS**

### **Net Neutrality Challenges Roll In After Rule Publication**

Official net neutrality lawsuits started to rain on federal courts Thursday along with the divisive Restoring Internet Freedom rule's publication in the Federal Register, with the rule stating an effective date of April 23 for the deregulation. [Read more »](#)

### **Rulemaking On Speedy Tech Approval Raises Hackles At FCC**

The Federal Communications Commission took steps to expedite reviews for emerging communications technologies at its February open meeting on Thursday, teeing up a public comment period over objections that the FCC is detrimentally positioning itself as a gatekeeper for innovation. [Read more »](#)

Reddit Inc.  
Sierra Club  
Talen Energy Corp.  
The Coca-Cola Company  
TracFone Wireless Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Universal Service Administrative Co.  
Verizon Communications  
Warner Bros.  
Washington Post Co.  
Whiting Petroleum Corp.  
World Wrestling Entertainment, Inc.  
Yahoo! Inc.  
YouTube Inc.

## **GOVERNMENT AGENCIES**

Animal and Plant Health  
Inspection Service  
Bureau of Citizenship and  
Immigration Services  
Competition and Markets Authority  
Defense Logistics Agency  
European Commission  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications  
Commission  
Federal Energy Regulatory  
Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Fort Peck Assiniboine and Sioux  
Tribes  
Government Accountability Office  
Internal Revenue Service  
National Labor Relations Board  
National Park Service  
New York Attorney General's  
Office  
Securities and Exchange  
Commission  
U.S. Department of Agriculture  
U.S. Department of Justice  
U.S. Department of the Treasury  
U.S. Environmental Protection  
Agency  
U.S. Forest Service  
U.S. General Services  
Administration

## Feds' Plan For 5G: If You Deregulate, It Will Come

Federal legislative and executive staff gathered Wednesday in Washington, D.C., to outline efforts to streamline the approval process for broadband infrastructure projects, saying removal of regulatory barriers will pave the way for the private sector to roll out next-generation wireless services, known as 5G. [Read more »](#)

## FCC Faces Heat On Proposed Lifeline Subsidy Reforms

The Federal Communications Commission fielded a bevy of comments on its proposals to reform the Lifeline phone subsidy program for low-income households ahead of Thursday's deadline, with many blasting a ban on wireless services that rent infrastructure. [Read more »](#)

## EXPERT ANALYSIS

### Series

## EPA In The Trump Era: Settling Mandatory Duty Lawsuits

The U.S. Environmental Protection Agency's 2017 "sue and settle" directive embraces a nascent process to post online notices of intent to sue, complaints and petitions for review. For some this is sufficient for planning purposes and strategic undertakings, but for others it provides interesting opportunities, says Avi Garbow, former EPA general counsel and partner at Gibson Dunn & Crutcher LLP. [Read more »](#)

## Net Neutrality Repeal May Put Tech Startups In The Slow Lane

There is no telling how the current battle over net neutrality will play out, but there is a good chance that paid prioritization will not go away. Technology and content startups that do not have the resources to buy internet fast lanes may lose sales from slower traffic, says Benjamin Warlick of Morris Manning & Martin LLP. [Read more »](#)

## The FTC's Quest For Better Influencer Disclosures

Given the repetition of the Federal Trade Commission's message concerning its endorsement guides, it's apparent that the agency believes it is still not being heard. Julie O'Neill and Adam Fleisher of Morrison & Foerster LLP recount how the FTC has gotten to where it is today and, thus, why it might be heading for a celebrity enforcement action next. [Read more »](#)

## How FERC's New Rule Paves The Way For Energy Storage

Last week, the Federal Energy Regulatory Commission issued its long-awaited final rule that aims to remove barriers to electric storage resource participation in regional transmission organization and independent system operator markets. Market participants with an interest in energy storage are advised to focus closely on the tariff provisions being developed by each RTO/ISO, say attorneys with Morgan Lewis & Bockius LLP. [Read more »](#)

## Breaking Down The New Interest Deduction Limitation

The Internal Revenue Code has historically limited the ability of corporations to deduct certain interest paid to related parties, but the recent tax reform modified this limitation and expanded its application. In this video, Taylor Kiessig and Brian Tschosik of Eversheds Sutherland LLP discuss differences between the historic and new versions of this limitation on interest expense. [Read more »](#)

## LEGAL INDUSTRY

## Ex-Foley & Lardner Partner Gets 3 Years For Insider Trading

Former Foley & Lardner LLP real estate partner Walter "Chet" Little was sentenced on Thursday to three years in prison for insider trading, following his admission that he cashed in on confidential merger information about the law firm's clients. [Read more »](#)

## Calif. Panel Says Ex-Perkins Coie Atty Must Arbitrate Claims

U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Supreme Court  
World Trade Organization

A former Perkins Coie partner must arbitrate claims the law firm dipped into his wages without permission, a California appellate court said Wednesday, reversing a lower court's ruling that his work contract was unconscionable and its arbitration provision wasn't binding. [Read more »](#)

#### Feature

### How Cannabis GCs Are Leading The Way In A Legal Gray Area

As a once black-market industry continues to grow in both legitimacy and size, and with it, a corresponding surge in legal needs, the first generation of general counsel at state-legal U.S. marijuana companies are on the front lines of the new and volatile field of cannabis law. [Read more »](#)

### Law360's Weekly Verdict: Legal Lions & Lambs

Williams & Connolly earned a spot on this week's legal lions list after the law firm secured a U.S. Supreme Court opinion in favor of its client narrowing the definition of the term "whistleblower," while Jones Day ended up on the legal lambs list after a federal judge dismantled its client's \$2.5 billion jury verdict in an infringement suit over a hepatitis C drug patent. [Read more »](#)

#### JOBS

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#### LAW FIRMS

[Ballard Spahr](#)  
[Gibson Dunn](#)  
[Littler Mendelson](#)  
[Seyfarth Shaw](#)  
[Akerman](#)  
[Allen & Overy](#)  
[Alston & Bird](#)  
[Ashby & Geddes](#)  
[Boies Schiller](#)  
[Bradley Arant](#)  
[Caplin & Drysdale](#)  
[Doar Rieck](#)  
[Duane Morris](#)  
[Earthjustice](#)  
[Eversheds Sutherland](#)  
[Fenwick & West](#)  
[Foley & Lardner](#)  
[Fox Rothschild](#)  
[Gupta Wessler](#)  
[Hogan Lovells](#)  
[Hueston Hennigan](#)  
[Husch Blackwell](#)  
[Jenner & Block](#)  
[Jones Day](#)  
[King & Spalding](#)  
[Locke Lord](#)  
[Massey & Gail](#)  
[Mayer Brown](#)  
[Morgan Lewis](#)  
[Morris Manning](#)  
[Morrison & Foerster](#)  
[Motley Rice](#)

Munger Tolles  
Ogletree Deakins  
Pashman Stein  
Pepper Hamilton  
Perkins Coie  
Richards Layton  
Sidley Austin  
Skadden  
Thompson Coburn  
Vinson & Elkins  
Walder Hayden  
Weinberg Roger  
Williams & Connolly

## COMPANIES

Digital Realty Trust Inc.  
Etsy Inc.  
Facebook  
Google Inc.  
Instagram Inc.  
Microsoft Corporation  
Reddit Inc.  
Sierra Club  
Twitter Inc.  
Verizon Communications  
YouTube Inc.  
AT&T Inc.  
Amazon.com Inc.  
American Federation of Labor and Congress of Industrial Organizations  
American Immigration Council  
Apollo Global Management LLC  
Apple Inc.  
BGR Government Affairs LLC  
CNH Industrial NV  
Chevron Corporation  
Columbus McKinnon Corporation  
Comcast Corporation  
Diamond Resorts Holdings LLC  
Douglas Dynamics, Inc.  
Ernst & Young  
Exelon Corporation  
Federal Communications Bar Association  
Florida Bar Association  
Gilead Sciences Inc.  
GitHub Inc.  
International Brotherhood of Electrical Workers  
Lord & Taylor LLC  
Los Angeles Times  
Magnetek, Inc.  
Merck & Co Inc.  
Netflix Inc.

New York Times Co.  
Oshkosh Corporation  
Pentair Inc.  
Public Knowledge  
Public Service Enterprise Group Inc.  
Talen Energy Corp.  
The Coca-Cola Company  
TracFone Wireless Inc.  
U.S. Chamber of Commerce  
Universal Service Administrative Co.  
Warner Bros.  
Washington Post Co.  
Whiting Petroleum Corp.  
World Wrestling Entertainment, Inc.  
Yahoo! Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
Federal Communications Commission  
Internal Revenue Service  
U.S. Supreme Court  
Federal Bureau of Investigation  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Government Accountability Office  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
World Trade Organization  
Animal and Plant Health Inspection Service  
Bureau of Citizenship and Immigration Services  
Competition and Markets Authority  
Defense Logistics Agency  
European Commission  
European Union  
Executive Office of the President  
Food and Drug Administration  
Fort Peck Assiniboiné and Sioux Tribes  
National Labor Relations Board  
National Park Service  
New York Attorney General's Office  
Securities and Exchange Commission  
U.S. Department of Agriculture  
U.S. Forest Service  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement

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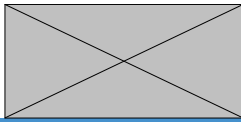
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 10/13/2016 8:59:43 AM  
**Subject:** [Marketing Mail] DC Circ. Single-Director Ruling May Hinder CFPB Enforcement



**PUBLIC POLICY**

## EXPLORE WHAT'S INSIDE LEXIS PRACTICE ADVISOR

Check out the topics we cover, the forms we offer, and where our practical guidance will take you.

Thursday, October 13, 2016

### TOP NEWS

#### **DC Circ. Single-Director Ruling May Hinder CFPB Enforcement**

The D.C. Circuit on Tuesday made it more complicated for the Consumer Financial Protection Bureau to bring some enforcement actions in both federal court and through administrative proceedings, and may have strengthened companies' hands in trying to fend off certain claims, experts say.

#### **DOL Finalizes Rule On ACA Whistleblower Complaints**

The U.S. Department of Labor on Wednesday unveiled its final rule governing the way whistleblower complaints are handled under the Affordable Care Act, more than three years after it published an interim final rule on the subject.

#### **Treasury's Inversion Rule Undermines Tax Law, Chamber Says**

The U.S. Department of the Treasury exceeded its authority and failed to give U.S. businesses required notice of an "arbitrary and capricious departure" from prior policy when it passed a rule meant to thwart corporate inversions, the U.S. Chamber of Commerce told a Texas federal court on Tuesday.

#### **Industry, Enviro's Blast EPA Ozone Rule Challenges In DC Circ.**

An industry group on Tuesday urged the D.C. Circuit to reject environmentalists' challenges to the U.S. Environmental Protection Agency's rule implementing 2008 ozone standards, while the environmentalists told the appeals court a challenge from a Southern California air quality district was similarly unworthy.

#### **ICE Memo Guides Eligibility Verification Amid Labor Rows**

U.S. Immigration and Customs Enforcement agents who receive information concerning employees' eligibility to work in the U.S. must consider whether the tips are meant to interfere with a labor organizing campaign or labor dispute, according to an agency memorandum recently obtained by the AFL-CIO.

#### **Biz Group Urges DOD To Revamp Brass-Selection Process**

A private-sector advisory group to the U.S. Department of Defense called for a "major shift" in how the Pentagon's top brass are selected and how they carry out their jobs, releasing a report Tuesday that calls on the next president to recruit corporate executives and restyle the military's deputy secretary as a "chief management officer."

#### **Judge Adds 1 Week To Fla. Voter Registration Deadline**

The Florida Democratic Party and voting rights groups notched a big win

### LAW FIRMS

Baker & McKenzie  
Borton Petrini  
Bredhoff & Kaiser  
Curtin & Heefner  
Dentons  
Dowd Bloch  
Drinker Biddle  
Earthjustice  
Fisher Phillips  
Jones Day  
Kanji & Katzen  
Keller and Heckman  
Levenfeld Pearlstein  
Lewis Longman  
Lewis Tein  
Liebert Cassidy  
Mayer Brown  
Messer Caparello  
Paul Hastings  
Paul Weiss  
Perkins Coie  
Shute Mihaly  
Slater & Gordon  
Steptoe & Johnson PLLC  
Telecommunications Law Professionals  
Venable LLP  
Winston & Strawn

### COMPANIES

Alcoa Inc.  
Allergan PLC  
America Fujikura Ltd.  
American Bar Association

CLV000903



Wednesday when a federal judge extended Florida's voter registration deadline to Oct. 18 to allow those affected by Hurricane Matthew additional time to get on voter rolls.

## ANALYSIS

### Move To Pin DNC Hack On Russia Needs Strong Follow-Up

The U.S. government's recent decision to publicly blame Russia for hacking into the Democratic National Committee indicates that federal officials are taking these cyberthreats seriously, but the long-term efficacy of this name-and-shame tactic will likely turn on what federal officials choose to do next.

### Tough Politics Force Wheeler To Limit Business Data Plan

The Federal Communications Commission's retrenchment last week on a proposal to set a new regulatory scheme for the business data services market is the latest evidence of Chairman Tom Wheeler's struggle to string together the votes necessary for key agenda items in a tumultuous political climate, experts say.

## ENERGY & ENVIRONMENTAL

### Pa. GOP Senators Ask To Join Del. River Fracking Suit

Three Republican Pennsylvania state senators asked Tuesday to intervene in a federal lawsuit brought by a landowner challenging the Delaware River Basin Commission's fracking moratorium and refusal to approve an exploratory natural gas well, saying the commission has overstepped its regulatory authority.

### EPA Fast-Tracks 5 Bioaccumulative, Toxic Chems For Review

The U.S. Environmental Protection Agency said Tuesday that it is prioritizing the review of five persistent, bioaccumulative and toxic chemicals for review under the newly passed Frank R. Lautenberg Chemical Safety for the 21st Century Act, which reforms the Toxic Substances Control Act.

### Bush-Era EPA, DOT Officials Blast Trump's Candidacy

Thirteen of President George W. Bush's political appointees who served in the U.S. Department of Transportation, the U.S. Environmental Protection Agency and the U.S. Department of Energy voiced their opposition to Donald Trump's candidacy on Wednesday, saying the Republican nominee doesn't live up to their idea of the party's values or policy positions.

## MEDIA & ENTERTAINMENT

### Nevada Senate Greenlights Las Vegas NFL Stadium Bill

The Nevada Senate on Tuesday passed a bill to provide \$750 million in public money for a nearly \$2 billion NFL stadium project for the Las Vegas area as the state continues to court the Oakland Raiders to move to southern Nevada.

## REAL ESTATE

### Leaning Tower Of SF Suit Against Public Agency Stumbles

A San Francisco judge Wednesday trimmed claims from a real estate suit brought by a putative class of Millennium Tower condo residents against the public agency overseeing an adjacent development that allegedly contributed to the leaning tower's high-profile sinking troubles, saying they'd failed to notify the agency before suing as required.

## EMPLOYMENT

American Federation of Labor and Congress of Industrial Organizations

American Federation of State, County and Municipal Employees

Comcast Corporation

Delaware Riverkeeper Network

Facebook

Google Inc.

Harris Corporation

Las Vegas Sands Corp.

LinkedIn Corp.

Lockheed Martin

Millennium Management LLC

NFL Enterprises LLC

National Immigration Law Center

National Right to Work Legal Defense Foundation

Oakland Raiders

PHH Corporation

Pfizer Inc.

Planned Parenthood Federation

Sierra Club

Sikorsky Aircraft Corp.

Simon Property Group, Inc.

Sony Pictures Entertainment Inc.

Starbucks Corporation

U.S. Chamber of Commerce

United States Steel Corporation

Wal-Mart Stores Inc.

Washington Post Co.

Yahoo! Inc.

eBay Inc.

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services

Consumer Financial Protection Bureau

Defense Logistics Agency

Delaware River Basin Commission

Equal Employment Opportunity Commission

Executive Office of the President

Federal Acquisition Regulatory Council

Federal Bureau of Investigation

Federal Communications Commission

Federal Railroad Administration

Federal Reserve System

Federal Trade Commission

Florida Department of

CLV000904

### III. Workers Hope High Court Uses Case To End Forced Dues

A pair of Illinois government workers are the latest to take a suit challenging laws requiring workers who are not union members to pay union dues to the Seventh Circuit, a move they hope will give the U.S. Supreme Court an opportunity to rule on the issue.

## PRIVACY & CONSUMER PROTECTION

### Calif. Life Sciences Cos. Sued Over Sale Of Fetal Tissue

Prosecutors for Orange County, California, lodged a suit on Wednesday in state court accusing two related life sciences companies, DaVinci Biosciences LLC and DV Biologics LLC, and its owners of unlawfully selling fetal tissue and stem cells.

## GOVERNMENT CONTRACTS

### Watchdog Says DOD Overpays For Chopper Spare Parts

A U.S. Department of Defense watchdog said Wednesday that the military services are using inefficient separate purchases for buying H-60 helicopter spare parts, urging the Pentagon to better consolidate H-60 parts buying to save money.

### Outgoing Navy Secretary Touts Direction Of Built-Up Fleet

Outgoing Navy Secretary Ray Mabus on Wednesday touted the Navy and Marine Corps' achievements under the Obama administration, expressing pride in efforts to ramp up shipbuilding, knock down barriers for qualified sailors to serve and make better use of alternative energy sources.

## INTERNATIONAL TRADE

### ITC Will Take Another Look At Tweaking Import Hurdles

The U.S. International Trade Commission announced Tuesday that it will once again conduct an analysis to gauge the potential effects of loosening tariffs, customs procedures and other restraints facing foreign goods.

### US, Canada Still Without Lumber Deal As Ceasefire Lapses

The one-year moratorium on trade remedy cases against Canadian softwood lumber imports expired Wednesday as the U.S. and Canada remained without a new bilateral agreement, though both sides vowed to forge ahead with their negotiations in order to stave off a litigation free-for-all.

## TAX

### IRS Could Increase Fees For Offers In Compromise

The Internal Revenue Service could soon hike the price for its tax liability offer-in-compromise settlement program, according to a proposed rule set to be published Thursday.

### Texas AG Says Brownsville's Plastic Bag Fee Is Unlawful Tax

Texas Attorney General Ken Paxton sued the city of Brownsville and several of its officials Wednesday in state court, alleging they are violating state law with an ordinance that charges consumers \$1 environmental fees for plastic bags in store checkout lines.

## IMMIGRATION

### Chicago 'Dreamer' Sues Fed Over Texas Immigration Block

A Chicago resident hit the U.S. Citizenship & Immigration Services with a suit in

Environmental Protection  
Illinois Department of  
Transportation  
Immigration and Customs  
Enforcement  
Internal Revenue Service  
International Trade Commission  
National Highway Traffic Safety  
Administration  
National Labor Relations Board  
Occupational Safety and Health  
Administration  
Securities and Exchange  
Commission  
Seminole Tribe of Florida  
South Florida Water Management  
District  
Tulalip Tribes of Washington  
U.S. Air Force  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Housing and  
Urban Development  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. Environmental Protection  
Agency  
U.S. Navy  
U.S. Secret Service  
U.S. Supreme Court  
United Nations

Illinois federal court Wednesday, alleging a Texas federal judge's decision to block new rules loosening restrictions on immigrant work permits is "unlawfully broad" and does not apply to his case.

## **NATIVE AMERICAN**

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### **Feds, Tribe Slam Wash.'s Assertion Of Taxing Power In Village**

The Tulalip Tribes and the federal government on Tuesday blasted the state of Washington and Snohomish County's attempt to have a federal court confirm their authority to levy taxes on commercial transactions in a tribal municipality that do not involve Native Americans.

### **Tribe Continues Push To Block New Fla. Water Quality Rule**

The Seminole tribe of Florida is trying to keep afloat efforts to halt the state's implementation of new water quality standards, asking an appeals court to stay adoption pending its appeal of an administrative judge's dismissal of its challenge after he also denied a similar stay request.

## **TELECOMMUNICATIONS**

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### **FCC's Pai Touts Plan To Bring Broadband To Poorer Areas**

High-speed internet access can level the playing field for startups and entrepreneurs competing in the marketplace, but a lack of reliable broadband in low-income areas risks a "digital divide," Federal Communications Commissioner Ajit Pai said Tuesday.

### **FCC Must Reject Google's ISP Privacy Plan, Advocate Says**

The open internet advocacy organization Free Press has urged the Federal Communications Commission not to listen to suggestions from internet service providers and companies like Google that could endanger consumer protections when writing its upcoming rules on online privacy.

## **EXPERT ANALYSIS**

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### **New FAR Rules On Tax Cheats, Felons: The Do's And Don'ts**

The Federal Acquisition Regulatory Council's final rule requiring offerors on government solicitations to represent unpaid federal tax liabilities and federal felony convictions reinforces the need for all contractors — big and small, providers of commercial and noncommercial items — to take certain actions both prior to and while bidding, say Jeniffer De Jesus Roberts and Katherine Veeder of Dentons.

### **The First 6 Months Of FCPA Pilot Program: 10 Lessons**

The U.S. Department of Justice's Foreign Corrupt Practices Act Pilot Program reached its six-month anniversary last week. It is useful to examine recent FCPA enforcement activity to see how the program is working and what it means for practitioners and companies going forward, says Robert Kent of Baker & McKenzie LLP.

### **Organic Rule Change Causes A Synthetics Scuffle**

In an effort to administer a regulatory framework that promotes efficiency and transparency within the organic products industry, the U.S. Department of Agriculture recently revised its regulatory process for authorizing synthetic materials for use in organic production. However, ongoing litigation in a California federal court could potentially upend the USDA's efforts to streamline the process, says Brian Sylvester of Keller and Heckman LLP.

### **The Art Of Silence At Trial**

When communicating to a jury, trial lawyers know that words matter. Thus, it may seem odd to focus on the topic of silence. However, this tool is often underutilized in

all facets of the litigation life cycle, says Martha Luring of Salmons Consulting.

## LEGAL INDUSTRY

### World's 1st Public Law Firm Faces Shareholder Litigation

The world's first publicly traded law firm was hit Wednesday with a massive shareholder class action alleging the firm deceived investors and lost them more than \$2 billion through various missteps, including the acquisition of a professional services firm, a plaintiffs law firm said.

### Robots Are Coming For Your Jobs, Legal Academic Says

The legal profession will not be spared from the upheaval posed by the advent of artificial intelligence as the profession is "dismantled" and lawyers are replaced by machines, prominent legal academic Richard Susskind said in a Tuesday article in the Harvard Business Review.

### Police Still Probing Atty's Role In Shooting Of Wife

The recent shooting death of a Fisher & Phillips LLP employment partner's wife, which occurred when he was handling a gun in a moving car, is being "appropriately and thoroughly" investigated by the Atlanta Police Department, as any other case of this nature would be, a department representative said on Wednesday.

### High Bail May Be Unconstitutional In Md., AG's Office Says

The common practice of setting unaffordable bail for criminal defendants awaiting trial would likely be found to violate due process if the issue came before Maryland's Court of Appeals, according to an advisory opinion from the state attorney general's office Tuesday.

### \$1.45M Settles Ex-Anaheim City Atty's Discrimination Suit

The former city attorney of Anaheim, California, has settled her discrimination lawsuit against the municipality for \$1.45 million, ending more than two years of litigation less than a week before a scheduled trial, it was announced on Tuesday.

### Rainmaker Q&A: Steptoe & Johnson's Sharon Flanery

To be a trusted business partner, you must know your clients' business, and understand what keeps your clients up at night. You must be able to craft forward-thinking solutions and effectively communicate the solution to your client, as well as the future impact of this decision, says Sharon Flanery, leader of the energy and natural resources department at Steptoe & Johnson PLLC.

### Rainmaker Q&A: Levenfeld Pearlstein's David Solomon

It takes patience to learn about a prospect or referral source, what makes them successful and how an attorney with your particular skill set can best help them achieve their goals. But getting that "yes" also takes persistence, and involves a concerted effort to build a relationship that encourages people to open up to you, says David Solomon, chairman of the corporate and securities group at Levenfeld Pearlstein LLC.

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American Federation of Labor and Congress of Industrial Organizations  
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Delaware Riverkeeper Network  
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Harris Corporation  
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Millennium Management LLC  
NFL Enterprises LLC  
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National Right to Work Legal Defense Foundation  
Oakland Raiders  
PHH Corporation  
Pfizer Inc.  
Planned Parenthood Federation  
Sierra Club  
Sikorsky Aircraft Corp.  
Simon Property Group, Inc.  
Sony Pictures Entertainment Inc.  
Starbucks Corporation  
United States Steel Corporation

Wal-Mart Stores Inc.  
Washington Post Co.  
Yahoo! Inc.  
eBay Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Environmental Protection Agency  
U.S. Supreme Court  
Federal Communications Commission  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Trade Commission  
Internal Revenue Service  
U.S. Department of Defense  
U.S. Department of Labor  
Bureau of Citizenship and Immigration Services  
Consumer Financial Protection Bureau  
Defense Logistics Agency  
Delaware River Basin Commission  
Equal Employment Opportunity Commission  
Federal Acquisition Regulatory Council  
Federal Railroad Administration  
Federal Reserve System  
Florida Department of Environmental Protection  
Illinois Department of Transportation  
Immigration and Customs Enforcement  
International Trade Commission  
National Highway Traffic Safety Administration  
National Labor Relations Board  
Occupational Safety and Health Administration  
Securities and Exchange Commission  
Seminole Tribe of Florida  
South Florida Water Management District  
Tulalip Tribes of Washington  
U.S. Air Force  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Energy  
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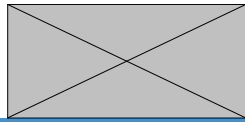
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**From:** Public Policy Law360  
**Sent:** Wed 8/10/2016 8:42:15 AM  
**Subject:** [Marketing Mail] Big Banks Back Shell Companies Transparency Bill



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Wednesday, August 10, 2016

### TOP NEWS

#### Big Banks Back Shell Companies Transparency Bill

Big banks on Monday backed legislation that would require states to collect the identities of the real owners of shell companies and other vehicles used in real estate transactions, but pushed for a change that they say would more fully ensure that those companies aren't used to launder illicit funds.

#### EPA Enforcement Will Stay Tough Post-Obama, Giles Says

The U.S. Environmental Protection Agency will ratchet up its ongoing efforts to crack down on polluters through high-impact cases, one of three enforcement priorities that the agency will stay focused on after the Obama administration ends, EPA enforcement head Cynthia Giles told Law360 in an exclusive interview.

#### IRS Floats Changes To Proposed Regulations For CPEOs

The IRS issued interim guidance Tuesday advising taxpayers of changes it expects to make to proposed regulations for certified professional employer organizations after it received comments that its proposals may actually limit the ability to apply for CPEO status.

#### NJ Sports Betting Law Shot Down By 3rd Circ.

A Third Circuit panel rang the death knell Tuesday on New Jersey's hopes to legalize sports betting in its casinos, shooting down the state's second attempt at circumventing the federal law that bans sports betting in most states.

#### Union Pacific Hauls Train On-Time Rule To 8th Circ.

Union Pacific Railroad Co. hauled the Surface Transportation Board to the Eighth Circuit on Friday, claiming the rail regulator overstepped its authority when it finalized a rule last month defining what it considers an on-time Amtrak train arrival or departure when investigating railroads for delays.

#### Blagojevich Must Serve Rest Of 14-Year Corruption Term

Former Illinois Gov. Rod Blagojevich must serve the remainder of his original 14-year sentence, an Illinois federal judge ruled Tuesday, rejecting the disgraced politician's claim his four years behind bars have erased the arrogance and greed that earned him the stiff penalty.

### ANALYSIS

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Bird & Bird  
Caplin & Drysdale  
Clifford Chance  
Covington & Burling  
DLA Piper  
Day Pitney  
Debevoise & Plimpton  
Eversheds LLP  
Finnegan  
Fox Rothschild  
Freshfields  
Gibbons PC  
Gibson Dunn  
Greenberg Traurig  
Gupta Wessler  
Hinshaw & Culbertson  
Kirkland & Ellis  
McCarter & English  
Milbank Tweed  
Milberg LLP  
Motley Rice  
Outten & Golden  
Pitt McGehee  
Sidley Austin  
Simmons & Simmons  
Skadden

CLV000911



## SEC's Big DC Circ. Win Won't End In-House Clash

The U.S. Securities and Exchange Commission may feel as though it can rest easy after the influential D.C. Circuit became the first appellate court to affirmatively rule its administrative law judges are constitutional, but experts say the decision won't resolve the ongoing debate over the agency's use of its in-house tribunal.

## BANKING & SECURITIES

### SEC Wins 1st Appellate Ruling On In-House Constitutionality

The D.C. Circuit on Tuesday became the first appellate court to find that the U.S. Securities and Exchange Commission's administrative courts are constitutionally sound, rebuffing an appeal brought by an investment adviser who claimed the agency's in-house judges needed to be appointed by the president.

## ENERGY & ENVIRONMENTAL

### Former GOP EPA Leaders Endorse Clinton, Slam Trump

Two former Republican administrators of the U.S. Environmental Protection Agency said Tuesday they're backing Hillary Clinton for president over Donald Trump, whom they faulted for denying climate change and not supporting strong environmental policies.

### Flint Residents Say Mich., Gov. Can't Duck Water Crisis Suit

Residents of Flint, Michigan, told a federal judge Monday that the state and several officials, including Gov. Rick Snyder, can't shake a proposed class action over the city's water contamination crisis, alleging that they mischaracterize the suit's claims and attempt to distort the issues.

### DOE Clarifies Reimbursement Rules For Whistleblower Cases

The U.S. Department of Energy issued guidance Monday clarifying when the agency will reimburse legal costs to contractors in whistleblower cases, as part of a broader response to a recent watchdog report criticizing the DOE's purported lack of whistleblower protections.

### 7th Circ. Greenlights Energy Regs For Commercial Fridges

The commercial refrigerator industry will soon have to comply with new standards regulating the energy efficiency of its products following a Monday decision from the Seventh Circuit that found the U.S. Department of Energy did not cross the line in laying down the standards.

### EPA Incinerator Ruling Undercuts CPP, DC Circ. Told

Opponents of the Obama administration's plan to reduce carbon dioxide emissions from existing power plants told the D.C. Circuit on Monday that the program can't proceed in light of a recent ruling that the U.S. Environmental Protection Agency can't require sources to average their emissions.

## HEALTH & LIFE SCIENCES

### Anti-Abortion Docs Sue Ill. Gov. Over Referral Requirement

Anti-abortion medical providers sued Illinois Gov. Bruce Rauner in state court on Monday in an effort to overturn a change to the state's right of conscience law, which requires medical providers who won't perform abortions to refer patients seeking the procedure to a doctor or facility that will.

## MEDIA & ENTERTAINMENT

Sprague & Sprague  
Stark & Stark  
Sullivan & Cromwell  
Taylor Wessing  
Thompson Coburn  
Thompson Coe  
Vorys Sater  
Weitz & Luxenberg  
WilmerHale  
Winston & Strawn  
Young & Associates

## COMPANIES

AU Optronics Corp.  
AdvaMed  
American Bar Association  
American Chemistry Council Inc.  
American Council of Life Insurers  
American Medical Association Inc.  
Apple Inc.  
Bank of America Corporation  
CBOE Holdings Inc.  
Center for American Progress  
CenturyLink Inc.  
Citigroup Inc.  
Clearing House Payments Co. LLC  
Colony Capital Inc.  
Comcast Corporation  
Cox Communications Inc.  
Edge International Inc.  
Financial Industry Regulatory Authority Inc.  
Goldman Sachs Group Inc.  
Hyundai Motor  
JPMorgan Chase & Co.  
Keurig Green Mountain Inc.  
Kia Motors  
LM Ericsson Telephone Company  
Lehman Brothers Holdings Inc.  
Lord & Taylor LLC  
NFL Enterprises LLC  
National Collegiate Athletic Association  
National Railroad Passenger Corporation  
National Telephone Cooperative Association  
Newcastle Investment Corp.  
Noble Energy, Inc.  
Omnicare Inc.  
Pew Charitable Trusts  
RWE AG

## NJ Agency OKs \$1B Bond Plans For Meadowlands Project

The New Jersey Sports and Exposition Authority on Tuesday unanimously approved two resolutions backing efforts to secure about \$1.15 billion in bonds for American Dream Meadowlands, a long-delayed retail and entertainment project being built in East Rutherford, New Jersey.

## Witness Lies Led To Pa. AG's Leak Charges, Jury Hears

The trial of Pennsylvania's embattled attorney general got underway on Tuesday as a defense attorney told jurors during opening arguments that criminal charges in the case stemmed from lies told by two individuals the AG allegedly ordered to leak confidential investigative material.

## TRANSPORTATION & INFRASTRUCTURE

### Gov. Christie Served Subpoena For Phone In Bridge Scandal

Counsel for a former public official charged in the George Washington Bridge lane-closing scandal on Tuesday said they have served subpoenas on Gov. Chris Christie and former members of his staff, taking another shot at accessing the governor's cellphone after a New Jersey federal judge denied a related bid last month.

### Fuel Fraud Law Drained Up To \$2B From Airport Fund: GAO

The Airport and Airway Trust Fund has lost out on between \$1 billion and \$2 billion over the past decade because of a federal law meant to curb fuel tax fraud, according to the U.S. Government Accountability Office.

### Texas County Enacts Roadblock To High-Speed Rail Project

A Texas county on Tuesday passed a first-of-its kind permitting requirement for high-speed rail projects that cross county rights-of-way, in what the county government's leader said was an effort to block a planned Dallas-to-Houston rail line.

## INSURANCE

### Life Insurers Say Fiduciary Rule Will Harm Annuity Trade

The U.S. Department of Labor's new fiduciary rule, which requires retirement account investment advisers to act in their clients' best interest when recommending products, will "restrict consumers' access to annuity products," the annuities industry said in Texas federal court filings Monday.

## EMPLOYMENT

### Pa. Judicial Retirement Ballot Challengers Ask For Rewording

A trio of Pennsylvania legal titans challenging the wording of a controversial ballot measure that would raise the mandatory retirement age for state judges urged the state Supreme Court on Tuesday to find the language unconstitutional and order the secretary of state to produce a revised version of the question.

## INTERNATIONAL TRADE

### FTC Settles Claims Of Pipe Co.'s Affiliate-Rival Collusion

A split U.S. Federal Trade Commission settled antitrust claims against a pipe distributor on Tuesday in the agency's first crackdown on attempted price-fixing between companies in both a distributor and a competitor relationship, an agreement one commissioner said was on shaky factual ground.

### Trump Claims Clinton Will Waffle On TPP Opposition Someday

SIFMA

Saks Incorporated

Sprint Nextel Corporation

Thomson Reuters Corporation

TransCanada Corporation

U.S. Chamber of Commerce

Union Pacific Corporation

United Continental Holdings Inc.

United States Telecom Association

Verizon Communications

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## GOVERNMENT AGENCIES

Bureau of Indian Affairs

Centers for Medicare & Medicaid Services

Federal Aviation Administration

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Railroad Administration

Federal Reserve System

Federal Trade Commission

Food and Drug Administration

Government Accountability Office

Internal Revenue Service

NAFTA

National Labor Relations Board

New Jersey Meadowlands Commission

Port Authority of New York & New Jersey

Securities and Exchange Commission

Surface Transportation Board

Texas Attorney General's Office

Timbisha Shoshone Tribe

U.S. Attorney's Office

U.S. Department of Energy

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Senate

U.S. Sentencing Commission

U.S. Supreme Court

Donald Trump said Monday that while he and Hillary Clinton both oppose the Trans-Pacific Partnership for now, Clinton will eventually support the 12-nation trade pact if elected, framing the issue as the former secretary of state's "next betrayal" of the U.S. electorate.

## TAX

### IRS Is Asked For Info On Carbon Credits For Oil Extraction

A coalition of environmental and taxpayer groups on Tuesday announced it has asked the Internal Revenue Service for records on the 45Q tax credit for carbon capture and long-term storage, looking to see how many credits have been given out for oil extraction since the provision was enacted in 2008 in the wake of the financial crisis.

### IRS Scales Back Tax Preparer Fee Amid Class Action

The IRS plans to issue a final rule Wednesday to reduce the fees paid by tax professionals, in the midst of a class action claiming the agency had set the fee too high.

## IMMIGRATION

### Gov't Argues It Did Not Mislead Court In Immigration Case

The U.S. Department of Justice did not intentionally mislead the Texas federal court overseeing the challenge to President Barack Obama's executive actions on immigration and does not deserve to be sanctioned, the federal government argued Monday.

## NATIVE AMERICAN

### Ex-Tribe Leaders Want Rehearing Of Election Challenge

Former leaders of California's Timbisha Shoshone Tribe asked the Ninth Circuit Monday to rethink tossing as moot their challenge to the U.S. Department of the Interior's decision to recognize a new tribal council, arguing that the court was wrong to conclude they had conceded the validity of a new constitution.

## TELECOMMUNICATIONS

### CenturyLink Urges FCC To Adopt Changes In Lifeline Program

Telecommunications company CenturyLink Inc. on Monday urged the Federal Communications Commission to reconsider some of the heightened standards it has floated for the Lifeline program, which provides subsidies for low-income Americans' phone and internet services.

### FCC, Station Ask To Stay Case Pending Spectrum Auction

The Federal Communications Commission and a Florida-based broadcaster asked the D.C. Circuit to set aside their dispute over spectrum auction eligibility Monday until after the end of the auction this year.

### Irish Regulator Warns Of Location Data Privacy Risks

Companies that collect data that can pinpoint an individual's location should ensure that they have that person's informed consent and that they take steps to minimize the amount of information they scoop up in order to avoid running afoul of Europe's privacy laws, the Irish data protection regulator advised Tuesday.

## EXPERT ANALYSIS

### **Spotlight On 'Shadow Banking'**

A recent speech by Federal Reserve Gov. Daniel Tarullo indicates that the Fed — and Tarullo in particular — continues to believe that the post-financial crisis regulatory reform efforts must include “shadow banking” entities and runnable funding. Further, the Federal Reserve is considering wide-ranging, and perhaps unorthodox, approaches to the regulation of runnable funding, say attorneys with Sullivan & Cromwell LLP.

### **A Better Approach To Environmental Prosecution?**

As a result of the Yates memo and the U.S. Department of Justice's subsequent environmental announcement, we may now see an increase in prosecutions against persons for environmental crimes, which often create dilemmas for corporate compliance officers, who may find themselves caught in the middle of higher-level management and the personnel directly involved in the violations, says David Edelstein at Vorys Sater Seymour and Pease LLP.

### **Time To Reform The Antitrust Sentencing Guidelines**

The U.S. sentencing guidelines for bid-rigging, price-fixing or market-allocation agreements among competitors do a lousy job of formulating a recommendation based on the actual culpability of an individual defendant. My recommendation is that the American Bar Association Antitrust Section forms a task force to review the guidelines and recommend changes, says Robert Connolly, a partner at GeyerGorey LLP and former federal prosecutor.

### **FINRA Is Wrongfully Imposing Rule 2010 Sanctions**

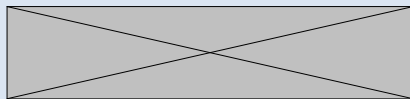
In nearly every letter of acceptance, waiver and consent involving a registered representative, the Financial Industry Regulatory Authority's attorneys cite violations of FINRA Rule 2010. The rule has become a FINRA violation catchall and its inclusion in so many AWCs is questionable, says Max Schatzow of Stark & Stark.

### **FDA's Pursuit Of A National Medical Device Evaluation System**

The U.S. Food and Drug Administration's recent draft guidance on evaluation of medical devices adds fuel to an ambitious initiative that could transform not only the FDA's regulatory oversight of medical devices, but also how devices are developed by manufacturers and reimbursed by payors, say attorneys at Sidley Austin LLP.

### **NYC 'Labor Peace' Order May Clash With Federal Law**

While the stated aim of New York Mayor Bill de Blasio's recent executive order is to ensure “labor peace” at development projects in which the city has a financial or propriety interest, the law undercuts the rights of covered employers and employees to make their own decisions regarding union representation, which may present conflicts with the National Labor Relations Act, says Robert Nagle at Fox Rothschild LLP.



### **BigLaw's Diversity Problem Puts It On Collision Course With Millennials**

If law firms don't make immediate strides toward becoming more inclusive, they risk alienating the next generation of lawyers, who are highly attuned to institutional bias and increasingly vocal about eradicating it.

### **Porn, Politics And The Undoing Of Kathleen Kane**

Some say Pennsylvania Attorney General Kathleen Kane sought to shed light on a boys club culture when she released emails that sparked the “Porngate”

scandal, and others say it was a distraction and retaliation ploy — two narratives that vie for legitimacy as she heads to trial on perjury charges.

## Unbiased Jurors Will Be Tough To Find As Trump U. Cases Progress

The judge overseeing a pair of Trump University lawsuits faces the challenge of navigating competing goals: moving the cases along and finding juries that have not been tainted by the presidential election.

### LEGAL INDUSTRY

#### 5 Ways Firms Waste Money

Continuing to pay high salaries to consistently underperforming attorneys and staying put in office space that no longer suits a firm's needs are among the top ways firms throw good money after bad and damage their own profitability, according to legal industry experts. Here, Law360 shares what legal industry consultants say are the five major ways that firms pour money down the drain.

#### Litigation Powerhouse: Winston & Strawn

A year of squaring off against powerful adversaries such as the federal government, Apple and a potential class of 90 million members on behalf of major clients including Goldman Sachs, Comcast and Verizon Wireless has earned Winston & Strawn LLP a spot on Law360's Litigation Powerhouses list.

#### Contentious ABA Anti-Bias Rule Could Face Local Challenges

A flurry of late changes to a controversial American Bar Association anti-discrimination rule mollified most opponents and ultimately secured approval from a majority of delegates, but the policy may still face opposition as state judges and ethics committees ponder enactment and whether the rule undermines free speech and other rights.

#### Greenberg Traurig Exec Becomes ABA's President-Elect

Greenberg Traurig LLP's co-president Hilarie Bass took on another prestigious role Tuesday as the president-elect of the American Bar Association, which will lead directly to her assuming the role of association president next year.

#### DLA Piper Sees 4% Revenue Bump For International Ops

DLA Piper on Tuesday said that revenue for its operations outside the Americas over the last fiscal year grew by about 4 percent to £768.8 million (\$999 million), marking another sign of growth after reporting a decent boost in global gross revenue.

#### Icon Of IP Ray Niro Dead At 73

Raymond P. Niro, a pioneering intellectual property attorney and Law360 Icon of IP who often represented patent licensing companies and inventors in infringement disputes against larger corporations, died Monday while vacationing in Italy, his firm said.

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American Medical Association Inc.  
Apple Inc.  
CBOE Holdings Inc.

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Colony Capital Inc.  
Comcast Corporation  
Cox Communications Inc.  
Edge International Inc.  
Financial Industry Regulatory Authority Inc.  
Goldman Sachs Group Inc.  
Hyundai Motor  
JPMorgan Chase & Co.  
Keurig Green Mountain Inc.  
Kia Motors  
LM Ericsson Telephone Company  
Lehman Brothers Holdings Inc.  
Lord & Taylor LLC  
NFL Enterprises LLC  
National Collegiate Athletic Association  
National Railroad Passenger Corporation  
National Telephone Cooperative Association  
Newcastle Investment Corp.  
Noble Energy, Inc.  
Omnicare Inc.  
Pew Charitable Trusts  
RWE AG  
SIFMA  
Saks Incorporated  
Sprint Nextel Corporation  
Thomson Reuters Corporation  
TransCanada Corporation  
U.S. Chamber of Commerce  
Union Pacific Corporation  
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U.S. Supreme Court  
Internal Revenue Service  
Securities and Exchange Commission  
U.S. Environmental Protection Agency  
Federal Communications Commission  
Federal Trade Commission  
Government Accountability Office  
Surface Transportation Board  
U.S. Department of Energy  
U.S. Senate



Bureau of Indian Affairs  
Centers for Medicare & Medicaid Services  
Federal Aviation Administration  
Federal Deposit Insurance Corp.  
Federal Railroad Administration  
Federal Reserve System  
Food and Drug Administration  
NAFTA  
National Labor Relations Board  
New Jersey Meadowlands Commission  
Port Authority of New York & New Jersey  
Texas Attorney General's Office  
Timbisha Shoshone Tribe  
U.S. Attorney's Office  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of the Interior  
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U.S. Sentencing Commission

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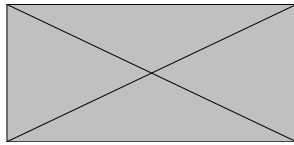
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 1/26/2017 8:48:02 AM  
**Subject:** [Marketing Mail] Trump Immigration Orders Stir Funding, Litigation Questions



**PUBLIC POLICY**

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Thursday, January 26, 2017

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## TOP NEWS

### Analysis

#### Trump Immigration Orders Stir Funding, Litigation Questions

President Donald Trump signed two sweeping executive orders on immigration Wednesday aimed at steering federal funds toward a border wall and punishing sanctuary cities, but experts say the actions may spark lawsuits, and questions linger about how some of the measures will be financed.

#### Senate Intel Committee Moving On Russia Hacking Probe

The heads of the Senate Select Committee on Intelligence on Tuesday announced that they will be moving forward with a probe into alleged Russian efforts identified by American spy services to influence the U.S. election and steer it toward now-President Donald Trump.

#### Trump Taps Dentons Politics Chair For Compliance Team

President Donald J. Trump has added a partner from Dentons to handle compliance and ethics matters for the White House, putting him on a growing legal team that includes aces from Cozen O'Connor and Jones Day, the administration said Wednesday.

### Analysis

#### Long-Awaited Partnership Audit Regs No Longer So Welcome

Partnership audit rules issued by the IRS on the Obama administration's penultimate day are likely to face lawsuits, according to experts, some of whom say the agency's proposed process for designating partnership representatives and calculating "imputed underpayments" is unsupported by federal law.

#### Tillerson Would Review US Role In Global Climate Deals

U.S. Secretary of State nominee Rex Tillerson said that if he's confirmed by the Senate, he would review U.S. participation in the United Nations' global framework to tackle climate change and the global climate accord inked in Paris in 2015 to determine if they advance the nation's interests.

#### McCain Pushes Back On New Trump Draft Interrogation Plan

Senate Armed Services Committee Chairman John McCain, R-Ariz., urged the Trump administration on Wednesday to tread carefully on its reported plans to loosen detention and interrogation restrictions for "enemy combatants," pointing to a legal prohibition on the use of torture.

#### Trump Taps EEOC Commish Lipnic As Acting Chair

President Donald Trump has appointed Victoria Lipnic, a commissioner at the U.S. Equal Employment Opportunity Commission since 2010, to serve as the agency's acting chair, the EEOC announced Wednesday.

#### Tax Rules On MLPs, Dividends Published Despite Freeze

Recently finalized IRS regulations governing master limited partnerships and

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Barnes & Thornburg  
Bradley  
Cleary Gottlieb  
Covington & Burling  
Cozen O'Connor  
Cravath Swaine  
DLA Piper  
Dechert  
Dentons  
Desmarais LLP  
Epstein Becker Green  
Feinberg Day  
Fish & Richardson  
Gibson Dunn  
Goodwin  
Greenberg Gross  
Greenberg Traurig  
Hadsell Stormer  
Hinshaw & Culbertson  
Hogan Lovells  
Holland & Knight  
Jackson Lewis  
Jones Day  
Kasowitz Benson  
Katz Marshall  
Kelley Drye  
Kilpatrick Townsend  
Kirkland & Ellis  
Latham & Watkins  
Littler Mendelson  
Mayer Brown  
Mintz Levin  
Nossaman LLP  
Olivares  
Proskauer Rose  
Seyfarth Shaw

CLV000920

dividend equivalent payments were published in the Federal Register on Tuesday despite an executive order from President Donald Trump freezing regulatory actions the day he took office.

### **Trump Signs Orders On Wall, Immigration Enforcement**

President Donald Trump signed two executive orders Wednesday aimed at pushing ahead with building a border wall and increasing immigration enforcement, the first of several possible immigration moves from the administration, which may soon include vetting based on ideology and a temporary refugee ban.

### **Trump Appoints Ohlhausen As Acting FTC Chair**

President Donald Trump has designated Maureen K. Ohlhausen to be acting chair of the U.S. Federal Trade Commission, according to a Wednesday statement by the agency.

## **BANKING & SECURITIES**

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### **Hong Kong Urges Public Companies To Improve Disclosures**

The Hong Kong Stock Exchange's owner released a report Wednesday applauding issuers' disclosures in annual reports for the 2015 fiscal year, but held that there is still work to be done to increase transparency and ensure the market is functioning properly.

### **Top Del. Republican Urges TransPerfect Co-CEOs To Settle**

State Sen. Colin Bonini, one of Delaware's top Republicans, told Law360 on Wednesday that the "best solution" for the dramatic struggle for control of legal translation firm TransPerfect is for the warring co-CEOs to settle, but that he still disagrees with the Chancery Court's order to sell the company.

## **ENERGY & ENVIRONMENTAL**

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### **6th Circ. Pauses Water Rule Case During High Court Review**

The Sixth Circuit granted a motion by the National Association of Manufacturers on Wednesday to hold in abeyance litigation over the U.S. Environmental Protection Agency's rule clarifying the scope of the Clean Water Act until the U.S. Supreme Court can decide whether the appeals court actually has jurisdiction.

### **Fla. Senate Panel Mulls \$2.4B Everglades Water Storage Plan**

Proponents of a plan to buy land south of Lake Okeechobee for water storage urged a Florida Senate panel Wednesday to approve it, saying it is necessary to relieve two overloaded estuaries suffering from toxic algal blooms.

## **HEALTH & LIFE SCIENCES**

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### **Top Health Cos. Press Trump On Value-Based Care**

More than 100 major health care companies and trade groups on Wednesday urged the Trump administration to avoid damaging the nation's shift toward value-based reimbursement, arguing that a wave of recent experiments has saved money and improved quality.

### **Dialysis Cos. Win Freeze Of HHS Premium Assistance Rule**

Dialysis companies DaVita Inc. and Fresenius Medical Care won a freeze Thursday of a new rule from the U.S. Department of Health and Human Services requiring dialysis providers to disclose charitable premium assistance after a Texas federal judge ruled HHS unlawfully bypassed the public comment period.

## **MEDIA & ENTERTAINMENT**

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Sidley Austin  
Siebman Burg  
Thompson & Knight  
Vinson & Elkins  
White & Case  
Wilkinson Barker  
WilmerHale  
Wilson Sonsini

### **COMPANIES**

Aetna Inc.  
Agrium Inc.  
Alliance of Automobile  
Manufacturers  
American Bar Association  
American Hospital Association  
American Immigration Lawyers  
Association  
American Medical Association Inc.  
Anthem Inc.  
Bloomin' Brands Inc.  
Chevron Corporation  
Dick's Sporting Goods Inc.  
DineEquity Inc.  
FCA US LLC  
Facebook  
Ford Motor Company  
Foxconn  
Friedman LLP  
Gawker Media LLC  
Google Inc.  
Hong Kong Exchanges and  
Clearing  
Johnson & Johnson  
LinkedIn Corp.  
Los Angeles Times  
Luxottica Group S.p.A.  
Motorola Mobility LLC  
National Association of  
Broadcasters  
National Association of  
Manufacturers  
National Federation of  
Independent Business  
National Immigration Law Center  
Pfizer Inc.  
Public Storage  
SIFMA  
SYSCO Corporation  
Select Comfort Corporation  
Spokeo Inc.  
Sports Authority Inc.  
SunEdison LLC

## Comprehensive Gaming Bill Advances In Fla. Senate

A gaming bill in the Florida Senate that aims to ratify a new \$3 billion compact with the Seminole Tribe and address pari-mutuels, fantasy sports and lotteries mostly breezed through its first stop Wednesday, facing some criticism but only minor debate in the Regulated Industries Committee.

## TRANSPORTATION & INFRASTRUCTURE

### Lawmakers Urge Study Of Connected Cars, Possible Regs

A bipartisan pair of congressmen want the National Highway Traffic Safety Administration to study connected cars and come up with regulations for automotive software, such as diagnostic and navigation systems, saying safeguards are needed against potential cybersecurity attacks.

### Georgetown Groups Ask DC Circ. To Nix New Flight Paths

Georgetown University and nearby neighborhood groups urged the D.C. Circuit on Monday to make the Federal Aviation Administration stop routing airplanes over their historic neighborhood, saying the agency failed to assess the noise and air pollution effects before implementing new flight paths.

## INSURANCE

### Analysis

#### Calif. Regulation Revival Boosts Home Coverage Confidence

The California Supreme Court's ruling Monday reviving the state insurance commissioner's challenged regulation aimed at producing more accurate insurer estimates of home replacement costs provides greater certainty for homeowners on property coverage and should reduce litigation between policyholders and carriers, experts say.

## EMPLOYMENT

### New DOL Exemption Can't Save Fiduciary Rule: Biz Groups

Business groups challenging the U.S. Department of Labor's controversial fiduciary rule told a Texas federal judge Wednesday that a recent proposal by the department to exempt certain intermediaries from the rule only underscores the rule's flaws.

### States, Biz Groups Slam OT Rule In 5th Circ. Amicus Briefs

Sixty business groups and four states filed amicus briefs Tuesday urging the Fifth Circuit not to nix an injunction blocking the Department of Labor's revision to the white-collar overtime exemption from taking effect, saying the agency far exceeded its authority by trying to extend overtime pay to millions.

## PRODUCT LIABILITY

### NJ Lawmakers Probing Allegedly Defective Turf Sales

New Jersey lawmakers Tuesday said that they will look into allegations that FieldTurf sold artificial turf to state municipalities for years on end despite knowing its product was defective and prone to falling apart.

## INTERNATIONAL TRADE

### WTO Dispute Roundup: US, China Poised For Ag Clash

In Law360's latest look at the World Trade Organization's Dispute Settlement Body, the U.S. prepares to square off with China over agricultural subsidies; Canada agrees to comply with an adverse steel finding; and Morocco blocks Turkey's panel

TransCanada Corporation  
U-Haul International Inc.  
U-Store-It Trust  
U.S. Chamber of Commerce  
U.S. Foods Inc.  
U.S. Renal Care Inc.  
United Parcel Service Inc.  
Washington Post Co.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Centers for Medicare & Medicaid Services  
Central Intelligence Agency  
Congressional Research Service  
Equal Employment Opportunity Commission  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Trade Commission  
Florida Department of Environmental Protection  
Florida State Senate  
Immigration and Customs Enforcement  
Internal Revenue Service  
Missouri Attorney General's Office  
NAFTA  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
National Security Agency  
Office of Federal Contract Compliance Programs  
Office of Justice Programs  
Office of the Federal Register  
Office of the U.S. Trade Representative  
Securities and Exchange Commission  
Social Security Administration  
Transportation Security Administration  
U.S. Army  
U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Health and Human Services

bid in the two countries' anti-dumping spat.

## **India Seeks WTO Arbitration Over US Green Energy Subsidies**

The Indian government has requested formal World Trade Organization arbitration in the latest round of its dispute with the United States over clean energy subsidies and local content requirements.

## **TAX**

### **Business Rent Taxes Lead Fla. Gov.'s \$618M Tax Cut Plan**

Florida Gov. Rick Scott launched a statewide tour Wednesday to coincide with the unveiling of \$618 million in proposed tax cuts, the bulk of which would come from trimming the state's tax on business rent payments, but the plan could face long odds in a Legislature likely to be grappling with tight budget constraints.

### **NJ Agency Cited For Errors In Business Incentive Programs**

The New Jersey Economic Development Authority has fallen short in its efforts to verify companies' claims about business costs and retained jobs in seeking tax credits under agency programs, the State Auditor's Office has found.

## **IMMIGRATION**

### **Sen. Feinstein Introduces Bill To Nix EB-5 Investor Program**

Sen. Dianne Feinstein, D-Calif., filed a bill on Tuesday that would end the EB-5 investor program and reallocate the employment-based visas allotted to it among the four remaining employment-based visa classes, amid attempted reforms of the controversial program.

### **Immigration Bill Roundup: Visa Reforms, Refugee Refusals**

Members of the 115th Congress introduced immigration-related bills in recent days that included measures on reforming the allocation of nonimmigrant work visas and the resettlement of refugees.

## **TELECOMMUNICATIONS**

### **FCC's Pai Picks Acting Bureau Chiefs, GC**

The new Federal Communications Commission chairman, Republican Commissioner Ajit Pai, on Tuesday announced his picks for a slate of leadership positions at the FCC, including bureau and office chiefs and acting general counsel.

### **House Republicans Ask FCC's Pai To Kill Set-Top Box Debate**

Congressional Republicans asked the new chairman of the Federal Communications Commission on Wednesday to seal the fate of the former chairman's proposal to unlock set-top cable boxes that failed to get a vote last year, calling on him to close the proceeding.

### **FCC Dem, Lawmaker Push Next Steps On Mobility Fund**

Sen. Joe Manchin, D-W.Va., and Democratic Federal Communications Commissioner Mignon Clyburn together on Wednesday pushed for the Federal Communications Commission to move forward with funding for mobile voice and internet expansion, saying in an op-ed that dollars should be carefully targeted to those most left behind.

### **News Org Backs Challenge To FCC Ownership Rules**

The News Media Alliance on Tuesday urged the Federal Communications Commission to reconsider its decision keeping media ownership restrictions, arguing that a ban against newspaper and broadcast cross-ownership is an "analog-era rule" that must be eliminated.

U.S. Department of Homeland Security  
U.S. Department of Housing and Urban Development  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Office Of Special Counsel  
U.S. Postal Service  
U.S. Senate  
U.S. Supreme Court  
United Nations

### **Federal Whistleblower Protections May Face Greatest Test Yet**

In its first days, the Trump administration has ordered media and social media blackouts at several federal agencies. This moment provides an important opportunity for federal employees, along with members of the legal profession, media and general public, to become better acquainted with federal employee whistleblower protections, say Debra Katz and Aaron Blacksberg at Katz Marshall & Banks LLP.

### **Analyzing The Legality Of Proposed Sanctuary City Measures**

The 115th Congress began by introducing bills aimed at defunding sanctuary cities in both the Senate and House, efforts consistent with President Donald Trump's recent executive order, which aims to cancel federal funding to sanctuary cities. However, such action is likely to lead to a showdown in Congress and in the federal courts over a variety of constitutional, federal and administrative legal issues, say attorneys at Holland & Knight LLP.

### **5 Things To Know About New DOJ-FTC Int'l Antitrust Guide**

The update to the U.S. Department of Justice and Federal Trade Commission guidelines for international antitrust enforcement reflects the agencies' views on two critical issues that affect foreign entities — the scope of the extraterritorial application of U.S. antitrust law, and the circumstances under which comity concerns trump enforcement objectives, say Ethan Litwin and James Van Strander of Dechert LLP.

### **Native American Recognition In Newfoundland: Part 2**

Applicants seeking membership to the Qalipu Mi'kmaq First Nation Band are evaluated by an unforgiving point system, which makes it especially difficult for those living outside Newfoundland to gain Qalipu status. Placing such a significant weight on geographic location is problematic, says Stephen Anstey of Kilpatrick Townsend & Stockton LLP.

### **New Jersey's TCCWNA: New Year, Same Uncertainty**

Online retailers concerned about lawsuits under New Jersey's Truth-in-Consumer Contract, Warranty and Notice Act had hoped to end 2016 with some clarity about its application in recent class action complaints. But motions to dismiss those cases may remain mostly undecided until the New Jersey Supreme Court and Third Circuit issue rulings later in 2017, says Jeffrey Jacobson of Kelley Drye & Warren LLP.

## LEGAL INDUSTRY

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### **BigLaw Push Into Mexico Slows Amid Uncertain Climate**

While regulatory reforms in energy and telecommunications brought a new influx of BigLaw firms to Mexico over the last several years, experts say President Donald Trump's election and the uncertainty of future decisions affecting trade between the neighbors has for now pumped the brakes on BigLaw expansion into the region.

### **Latham Matches Cravath Bonus Scale With Room To Grow**

Latham & Watkins LLP on Tuesday told its associates it was matching the bonuses doled out by elite New York firms, ranging from \$15,000 to \$100,000 at a base rate, plus higher rewards for higher performers, according to a memo confirmed by the firm Wednesday.

### **UK Dentons Revenue Spikes As DLA Piper Remains Steady**

Revenue for Dentons' U.K., Middle East and Africa practice climbed 7 percent to more than £169 million (\$213 million) in the 2015-2016 fiscal year, while DLA Piper's International arm saw only a small amount of growth as the firm demerged two practices, financial reports filed in the U.K. show.

### **Akin Must Provide Financial Docs In Ex-Atty's Bias Suit**

A California judge Wednesday ordered Akin Gump Strauss Hauer & Feld LLP to provide financial documents to a former attorney alleging he was discriminated against and told he resembled a "gangbanger," saying the information could refute the firm's assertion there wasn't enough work to promote the plaintiff to partner.

### **Bankruptcy Filings At Lowest Since 2006, Report Says**

Overall U.S. bankruptcy filings in 2016 dropped to the lowest number in 10 years, according to court statistics released Wednesday.

### **Call For Participants: Law360's 2017 Editorial Advisory Boards**

Law360 is looking for avid readers of its publications to serve as members on its 2017 editorial advisory boards.

### **BigLaw Alums Q&A: Feinberg Day's Marc Belloli**

I work more now than I did in BigLaw, no question. I just had a practice in BigLaw and now it is basically the same practice, plus running the business. The James Brown lyric "paid the cost to be the boss" rings true. That said, the extra work is work I enjoy, says Marc Belloli, a founding partner at Feinberg Day Alberti & Thompson LLP.

#### **JOBS**

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#### **LAW FIRMS**

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Gibson Dunn  
Greenberg Traurig  
Holland & Knight  
Jones Day  
Mayer Brown  
Akin Gump  
Arnstein & Lehr  
Baker McKenzie  
Barnes & Thornburg  
Bradley  
Cleary Gottlieb  
Covington & Burling  
Cozen O'Connor  
Cravath Swaine  
Dechert  
Desmarais LLP  
Epstein Becker Green  
Feinberg Day  
Fish & Richardson  
Goodwin  
Greenberg Gross  
Hadsell Stormer  
Hinshaw & Culbertson  
Hogan Lovells  
Jackson Lewis  
Kasowitz Benson  
Katz Marshall  
Kelley Drye  
Kilpatrick Townsend



Kirkland & Ellis  
Latham & Watkins  
Littler Mendelson  
Mintz Levin  
Nossaman LLP  
Olivares  
Proskauer Rose  
Seyfarth Shaw  
Sidley Austin  
Siebman Burg  
Thompson & Knight  
Vinson & Elkins  
White & Case  
Wilkinson Barker  
WilmerHale  
Wilson Sonsini

#### COMPANIES

National Immigration Law Center  
U.S. Chamber of Commerce  
Aetna Inc.  
Agrium Inc.  
Alliance of Automobile Manufacturers  
American Bar Association  
American Hospital Association  
American Immigration Lawyers Association  
American Medical Association Inc.  
Anthem Inc.  
Bloomin' Brands Inc.  
Chevron Corporation  
Dick's Sporting Goods Inc.  
DineEquity Inc.  
FCA US LLC  
Facebook  
Ford Motor Company  
Foxconn  
Friedman LLP  
Gawker Media LLC  
Google Inc.  
Hong Kong Exchanges and Clearing  
Johnson & Johnson  
LinkedIn Corp.  
Los Angeles Times  
Luxottica Group S.p.A.  
Motorola Mobility LLC  
National Association of Broadcasters  
National Association of Manufacturers  
National Federation of Independent Business  
Pfizer Inc.  
Public Storage  
SIFMA

SYSCO Corporation  
Select Comfort Corporation  
Spokeo Inc.  
Sports Authority Inc.  
SunEdison LLC  
TransCanada Corporation  
U-Haul International Inc.  
U-Store-It Trust  
U.S. Foods Inc.  
U.S. Renal Care Inc.  
United Parcel Service Inc.  
Washington Post Co.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
U.S. Department of Homeland Security  
Federal Communications Commission  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
Central Intelligence Agency  
Federal Trade Commission  
Immigration and Customs Enforcement  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Federal Aviation Administration  
Federal Bureau of Investigation  
Florida State Senate  
Internal Revenue Service  
Office of the Federal Register  
Office of the U.S. Trade Representative  
Securities and Exchange Commission  
U.S. Army  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
Centers for Medicare & Medicaid Services  
Congressional Research Service  
Equal Employment Opportunity Commission  
Executive Office of the President  
Florida Department of Environmental Protection  
Missouri Attorney General's Office  
NAFTA  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
National Security Agency  
Office of Federal Contract Compliance Programs  
Office of Justice Programs  
Social Security Administration  
Transportation Security Administration  
U.S. Department of Agriculture  
U.S. Department of Energy



U.S. Department of Housing and Urban Development  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Office Of Special Counsel  
U.S. Postal Service  
U.S. Senate  
United Nations

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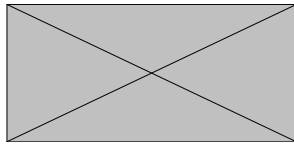
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 12/19/2016 8:40:04 AM  
**Subject:** [Marketing Mail] The Biggest Employment Cases Of 2016



**PUBLIC POLICY**

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**Monday, December 19, 2016**

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## **TOP NEWS**

### **Analysis**

#### **The Biggest Employment Cases Of 2016**

This year saw a historic decision allowing private college students to unionize, the president of Fox News toppled by a sexual harassment suit, the seeming demise of the Department of Labor's overtime rule update, and more. Here attorneys discuss the biggest employment law cases of 2016

### **Analysis**

#### **The Biggest Immigration Cases Of 2016**

There was no shortage of immigration litigation this year, with the U.S. Supreme Court deadlocking in the case over Obama's executive actions, the U.S. Securities and Exchange Commission bringing a major suit over alleged EB-5 visa fraud, and courts hearing challenges to work authorization rules for immigrants. Here, Law360 looks back at some of the biggest immigration cases from 2016.

#### **EPA Reaches Deal With States On Cross-State Pollution**

Eight northeastern states that petitioned the U.S. Environmental Protection Agency to crack down on interstate ozone pollution from upwind states will receive an answer to their petition before President Barack Obama leaves office, according to a notice published Friday, resolving a lawsuit by six of those states claiming the agency blew its deadline in responding to their petition.

#### **IRS Limits Gain Recognition For Certain Stock Distributions**

The Internal Revenue Service on Friday adopted regulations it had initially proposed in 2004 to limit the recognition of gain in stock distributions involving a predecessor corporation, with significant modifications to the definition of the predecessor in response to comments from the public.

#### **Obama Backs DNC Hack Response, Teasing Future Action**

President Barack Obama on Friday defended his administration's response to a pre-election hack of the Democratic National Committee that has been publicly attributed to Russia, repeatedly asserting that the U.S. government handled the incident appropriately and suggesting that further retaliation is still to come.

#### **DOL Floats Anti-Bias Rule For Apprenticeships**

The U.S. Department of Labor on Friday issued a new rule updating equal employment opportunity protections in apprenticeships to include greater protections for individuals over 40 as well as for disability, genetic information and sexual orientation.

## **BANKING & SECURITIES**

#### **NJ Pol Blasts Trump's SEC Chair Pick Over GWB Scandal**

A New Jersey legislative leader has urged four U.S. senators to block President-

## **LAW FIRMS**

Baker Botts  
Barnes & Thornburg  
Beck Redden  
Bracewell  
Bryan Cave  
Chadbourn & Parke  
Covington & Burling  
Cozen O'Connor  
Crowell & Moring  
Curtin & Heefner  
DLA Piper  
Davis Graham  
Debevoise & Plimpton  
Dinsmore & Shohl  
Earthjustice  
Edelson PC  
Epstein Becker Green  
Eversheds LLP  
Faegre Baker  
Foley & Lardner  
Foley Hoag  
Gardere Wynne Sewell  
Gibson Dunn  
Greenberg Traurig  
Haynes and Boone  
Hickey & Evans  
Hogan Lovells  
Jenner & Block  
Jones Day  
Kirkland & Ellis  
Latham & Watkins  
McGuireWoods  
McKool Smith  
Miller Mayer  
Morgan Lewis  
Morrison & Foerster  
Morvillo LLP  
Nelson Mullins  
Norton Rose Fulbright

CLV000929

elect Donald Trump's anticipated nomination of a Gibson Dunn partner for chair of the U.S. Securities and Exchange Commission, saying she took part in a sham investigation that cleared New Jersey Gov. Chris Christie of wrongdoing in the George Washington Bridge lane-closing scandal.

#### **4th Circ. Tosses Another SEC Admin Court Challenge**

The Fourth Circuit on Friday became the fifth appellate court to find challenges to the constitutionality of the U.S. Securities and Exchange Commission's administrative court must first be brought before the tribunal itself, sending a Maryland financial adviser to face a suit that has already resulted in more than \$4 million in penalties.

#### **Sens. Knock CFTC For Not Finishing Position Limit Rule**

Three U.S. senators this week criticized the Commodities Futures Trading Commission for failing to pass a final rule limiting speculative positions on derivatives last week despite three years of work on the proposed rule.

### **ENERGY & ENVIRONMENTAL**

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#### **New ND Gov. Backs Dakota Access Pipeline On First Day**

North Dakota's new Republican governor spoke out in support of the Dakota Access pipeline on his first day in office Thursday, calling on President Barack Obama's administration to grant an easement needed to finish the project and saying the federal government should reimburse the state \$17 million in costs caused by "unjustified political delays."

#### **EPA Defends Lower Renewable Fuel Requirements At DC Circ.**

The U.S. Environmental Protection Agency on Thursday urged the D.C. Circuit to reject challenges to the latest volume obligations the agency set for the Renewable Fuel Standard program, saying it was within its authority to lower the amounts of some fuels.

#### **EPA Takes Coal Jobs Ruling Fight To 4th Circ.**

The U.S. Environmental Protection Agency said Friday it would appeal to the Fourth Circuit a West Virginia federal judge's ruling that the agency has to better study the effects its environmental regulations have on jobs.

#### **Don't Put BLM Flaring Rule On Hold, Feds Tell Judge**

The federal government urged a Wyoming federal court Thursday to reject a bid by states and industry groups to block implementation of a new Bureau of Land Management rule aimed at limiting the release of methane from drilling operations on federal and Native American lands.

#### **County, Rail Group Allowed To Weigh In On Pa. Well Denial**

A Pennsylvania federal judge on Thursday allowed two outside motions, including one from a local development board, to intervene in a challenge to the Delaware River Basin Commission's fracking moratorium and refusal to approve an exploratory natural gas well.

### **HEALTH & LIFE SCIENCES**

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#### **HHS Decries 'Impossible' Order On Medicare Appeals Backlog**

The U.S. Department of Health and Human Services on Thursday protested a D.C. federal judge's order requiring it to eradicate its backlog of Medicare billing appeals by 2021, saying that to do so would be "impossible" without improperly paying claims, regardless of their merit.

#### **Texas Fetal Disposal Rule Change Halted Until January**

New Texas rules requiring fetal tissue to be buried or cremated instead of disposed like other medical waste can't take effect until January under a temporary restraining

O'Melveny & Myers

Paul Weiss

Proskauer Rose

Quinn Emanuel

Reed Smith

Sanford Heisler

Skadden

Snell & Wilmer

Squire Patton Boggs

Steptoe & Johnson LLP

Sutherland Asbill

Vedder Price

Western Environmental Law  
Center

WilmerHale

### **COMPANIES**

3M Company

AT&T Inc.

American Bar Association

American Civil Liberties Union

American Enterprise Institute

American Hospital Association

American Petroleum Institute Inc.

American Soybean Association

Arizona Chamber of Commerce

CACI International Inc.

CTIA

Center for Biological Diversity Inc.

Comcast Corporation

Competitive Carriers Association

Consilio LLC

Delaware Riverkeeper Network

Environmental Defense Fund Inc.

Federation Internationale de

Football Association

Ford Motor Company

General Motors

Gilead Sciences Inc.

Google Inc.

Idenix Pharmaceuticals, Inc.

Immigrant Legal Resource Center

Intellectual Ventures

Lyft Inc.

McDonald's Corporation

Murray Energy Corp.

NBCUniversal Inc.

Natural Resources Defense  
Council

New York Times Co.

New York University

Pfizer Inc.

order entered Thursday by a Texas federal judge.

## TRANSPORTATION & INFRASTRUCTURE

### Uber, Calif. DMV On Collision Course Over Self-Driving Cars

The California Attorney General on Friday warned Uber it will take legal action unless the ride-hailing company obtains a permit from state regulators for self-driving cars it's testing on roadways in the Bay Area, the latest salvo in a deepening impasse between the tech giant and state officials.

## EMPLOYMENT

### Arizona Chamber Challenges Minimum Wage Hike

The Arizona Chamber of Commerce is leading a charge to stop a newly approved minimum wage hike and paid sick leave ballot initiative from taking effect, filing a lawsuit in state court Thursday that says the proposal's lack of a state revenue generator and inclusion of multiple subjects violate the state's constitution.

### New OSHA Rule Revives 5-Year Injury Recording Period

The Department of Labor's Occupational Safety and Health Administration issued a final rule Friday requiring that companies note and keep records of workplace injuries for five years after they happen, attempting an end-run around a 2012 D.C. Circuit decision that shot down its prior continuing obligation rule.

### DC Circ. Won't Block DOL Fiduciary Rule For Trade Group

The D.C. Circuit on Thursday shut down the latest effort by the National Association for Fixed Annuities to block the U.S. Department of Labor's rule expanding the definition of a fiduciary for retirement account investment advisers, saying the insurance-industry trade group fell short of a high bar for injunctive relief.

## PRIVACY & CONSUMER PROTECTION

### EU Regulators Offer Guidance On Data Protection Regulation

Europe's privacy regulators on Friday lent clarity to how they plan to enforce the bloc's looming general data protection regulation by issuing guidance that pushes companies to appoint data protection officers and develop tools that will allow consumers to easily transfer their data to another service provider.

### Michigan Med Mal Compensation Bill Heads To Governor

The Michigan Senate recently approved a bill that would close a loophole allowing medical malpractice plaintiffs to sue for compensation for the charged amount of medical expenses rather than what is actually paid out by insurance companies.

### Trans Girl Can Keep Using Women's Bathroom, 6th Circ. Says

The Sixth Circuit on Thursday ruled that an Ohio school district must continue to let an 11-year-old transgender girl use the restroom that matches her gender identity while the school district appeals a trial court's ruling that required it to treat the student "as the girl she is."

## GOVERNMENT CONTRACTS

### DOD Challenges Include Terrorism, Strategic Force, Money

The U.S. Department of Defense faces a wide range of management and performance challenges from combating terrorism to confronting territorial aggression from the likes of China and Russia, along with bolstering the full breadth of military capabilities while improving government contracting, the Pentagon's internal watchdog said Friday.

Public Company Accounting Oversight Board

Publicis Groupe

Sasol Limited

Sierra Club

Symantec Corporation

T-Mobile USA Inc.

The DIRECTV Group, Inc.

Time Warner Cable

Time Warner Inc.

Trend Micro Inc.

Twitter Inc.

U.S. Chamber of Commerce

Uber Technologies Inc.

Valero Energy Corp.

Verizon Communications

Volvo Car Corp.

Yahoo! Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Indian Affairs

Bureau of Labor Statistics

Bureau of Land Management

California Transportation Agency

Central Intelligence Agency

Commodity Futures Trading Commission

Delaware River Basin Commission

Employment and Training Administration

Energy Information Administration

Equal Employment Opportunity Commission

European Commission

Executive Office for Immigration Review

Executive Office of the President

Federal Acquisition Regulatory Council

Federal Bureau of Investigation

Federal Communications Commission

Federal Trade Commission

Financial Crimes Enforcement Network

Government Accountability Office

Internal Revenue Service

National Aeronautics and Space Administration

National Highway Traffic Safety Administration

National Labor Relations Board

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## **NASA Issues Contractor Reporting Rule For \$10M Of Property**

NASA on Friday finalized a rule that will require contractors working with \$10 million or more of the agency's property to submit monthly reports, as part of an effort to help assess the efficiency and effectiveness of asset management.

## **GAO Dings Navy's Inadequate Cost Scrutiny On \$176M Project**

The Government Accountability Office was not satisfied with how the U.S. Navy evaluated costs in awarding a \$176 million ship IT project, according to a bid protest decision made public Friday pressing the military branch to redo its analysis and make a new award if necessary.

## **INTERNATIONAL TRADE**

## **EU Dumping Duties On Indonesian Chem Additives OK: WTO**

A World Trade Organization panel on Friday sided with the European Union in its dispute with Indonesia over anti-dumping measures imposed on imports of chemical additives, saying the EU acted correctly when imposing the duties.

## **IMMIGRATION**

## **DOJ Unleashes Rule On Unfair Immigration Job Practices**

The U.S. Department of Justice brought its implementation of the unfair immigration-related employment practice provisions of the Immigration and Nationality Act up-to-date in a final rule published Friday, tweaking an August draft to address stakeholder worries the rule would sweep in neutral decisions.

## **Justices Want More Info In Immigrant Detention Case**

The U.S. Supreme Court Thursday requested supplemental briefs from parties in an immigration detention case centered on questions of whether detained immigrants attempting entry to the U.S. are entitled to bond hearings after lengthy periods in custody.

## **NATIVE AMERICAN**

## **BIA Removed Whistleblower Who Irked Colo. Tribe, Says OSC**

The Bureau of Indian Affairs retaliated against and removed a whistleblowing employee after he angered Colorado's Southern Ute Indian Tribe by pointing out that some of its oil and gas lease agreements flouted both the agency's regulations and environmental statutes, the U.S. Office of Special Counsel said Thursday following an investigation.

## **TELECOMMUNICATIONS**

## **Media Groups Want FCC Rules Challenge Moved To 3rd Circ.**

Two media policy groups intervening in a challenge to a Federal Communications Commission order imposing restrictive broadcast ownership rules on Friday urged the D.C. Circuit to bless the transfer of the appeal to the Third Circuit, citing the latter court's experience in hearing similar challenges to the agency's ownership rules.

## **FCC Told To Rethink Cybersecurity Reporting Requirement**

The Federal Communications Commission received petitions from several telecom trade groups, along with T-Mobile, taking up issues with the agency's efforts to open up spectrum for 5G wireless technology, with a common criticism among the filings targeting planned cybersecurity reporting requirements.

## **EXPERT ANALYSIS**

National Security Agency  
New York State Department of Financial Services  
Occupational Safety and Health Administration  
Office of the Director of National Intelligence  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
Southern Ute Indian Tribe  
Standing Rock Sioux Tribe  
Texas Health and Human Services Commission  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Education  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Navy  
U.S. Office Of Special Counsel  
U.S. Supreme Court

## **The Truth About The Russians And The Election**

Last week, media outlets flooded the airwaves with dark tales of online Russian operatives who prevented Hillary Clinton from becoming U.S. president. However, the conclusory allegation of a Russian-orchestrated and targeted cyberstrike seems more akin to propaganda than truth, and is not only disquieting, but also irresponsible, says John Reed Stark, president of John Reed Stark Consulting LLC and former chief of the U.S. Securities and Exchange Commission's Office of Internet Enforcement.

## **What The FCC Will Look Like In 2017**

Given that the Republican Party will soon hold three of five commissioner seats at the Federal Communications Commission, its agenda will likely hold sway for at least the next four years. The FCC may shift its attitude toward issues such as spectrum management and major mergers, says Stephanie Roy of Steptoe & Johnson LLP.

## **CPP Rollback May Impact SO2 Emissions Trading Markets**

If the U.S. Environmental Protection Agency's Clean Power Plan is jettisoned or substantially scaled back by the D.C. Circuit or the next administration, then the resulting short-term regulatory uncertainty and the potential tapering of recent declines in sulfur dioxide emissions may affect sulfur dioxide emissions allowance prices, says David Fotouhi of Gibson Dunn & Crutcher LLP.

## **The Panama Papers: The Story So Far, And What Comes Next**

The offshore banking industry attracted global attention earlier this year with the publication of 11.5 million leaked documents detailing decades of information about over 200,000 bank accounts and shell companies. Jeremy Maltby and Grant Damon-Feng of O'Melveny & Myers LLP examine government responses to the Panama Papers and offer tips for companies to minimize their risk of exposure to unlawful shell company activity and its consequences.

## **Are Courts In The Discovery Driver's Seat?**

I recently asked a panel of four federal court judges whether they expect courts to start taking a more active role in e-discovery. They answered with a resounding yes. However, their responses left me wondering whether courts are actually taking a more active role in discovery since the Federal Rules of Civil Procedure amendments took effect in December 2015, says Cristin Traylor of McGuireWoods LLP.

## **LEGAL INDUSTRY**

### **BigLaw Fails To Bend To GC Billing Needs, Survey Says**

Corporate legal departments in 2016 had little faith in law firms to be change agents and drivers of innovation in a climate where departments are increasingly seeking cost-effective alternative fee arrangements, according to results of a survey recently published by Blickstein Group.

### **More Work To Move In-House As Cos. Continue To Cut Costs**

As corporate legal departments continue to strive for efficiency and cost cutting, the traditional work of outside counsel is becoming increasingly expendable, and with ever-improving legal technology, more and more legal work is expected to be brought back in-house, according to a new report.

### **Chadbourne Pay Row Counterclaims Are Revenge, Attys Say**

Chadbourne & Parke LLP engaged in "naked acts of retribution" when it countersued lawyers who have alleged the firm short-changed female partners and locked them out of leadership, according to a Friday filing from the attorneys.

### **Eversheds, Sutherlands Ink Trans-Atlantic Deal**

Sealing a relatively rare transatlantic law firm merger, partners of Atlanta-based Sutherland Asbill & Brennan LLP and the U.K.'s Eversheds LLP have voted to combine to create a new firm — 2,300-attorney global giant Eversheds Sutherland,



the firms announced Friday.

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

The White House rolls out a multiagency IP enforcement scheme, the EEOC lays out the rights of workers with mental health conditions and BigLaw is a big target for data thieves. Those stories top the corporate legal news you may have missed last week.

### **In Case You Missed It: Hottest Firms and Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

### **My Strangest Day In Court: The 1995 Oklahoma City Bombing**

When Timothy McVeigh detonated a rental truck full of fertilizer and fuel oil in front of the Alfred P. Murrah Federal Building on April 19, 1995, the explosion blew the windows out of our courtroom and the jurors jumped from their seats and dashed from the building. Plainly, there would be a mistrial, recalls Randy Gordon of Gardere Wynne Sewell LLP.

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Edelson PC  
Epstein Becker Green  
Eversheds LLP  
Faegre Baker  
Foley & Lardner  
Foley Hoag  
Gardere Wynne Sewell  
Haynes and Boone  
Hickey & Evans  
Jenner & Block  
Jones Day  
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McGuireWoods  
McKool Smith  
Miller Mayer  
Morgan Lewis  
Morrison & Foerster  
Morvillo LLP  
Nelson Mullins  
Norton Rose Fulbright  
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Paul Weiss  
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Snell & Wilmer  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Sutherland Asbill  
Vedder Price  
Western Environmental Law Center  
WilmerHale

#### COMPANIES

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T-Mobile USA Inc.  
3M Company  
AT&T Inc.  
American Civil Liberties Union  
American Enterprise Institute  
American Hospital Association  
American Petroleum Institute Inc.  
American Soybean Association  
Arizona Chamber of Commerce  
CACI International Inc.  
CTIA  
Center for Biological Diversity Inc.  
Comcast Corporation  
Competitive Carriers Association  
Consilio LLC  
Delaware Riverkeeper Network  
Environmental Defense Fund Inc.  
Federation Internationale de Football Association  
Ford Motor Company  
General Motors  
Gilead Sciences Inc.  
Google Inc.  
Idenix Pharmaceuticals, Inc.  
Immigrant Legal Resource Center



Intellectual Ventures  
Lyft Inc.  
McDonald's Corporation  
Murray Energy Corp.  
Natural Resources Defense Council  
New York Times Co.  
New York University  
Public Company Accounting Oversight Board  
Publicis Groupe  
Sasol Limited  
Sierra Club  
Symantec Corporation  
The DIRECTV Group, Inc.  
Time Warner Cable  
Time Warner Inc.  
Trend Micro Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Uber Technologies Inc.  
Valero Energy Corp.  
Verizon Communications  
Volvo Car Corp.  
Yahoo! Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Securities and Exchange Commission  
U.S. Environmental Protection Agency  
Federal Communications Commission  
U.S. Department of Labor  
Central Intelligence Agency  
Internal Revenue Service  
U.S. Attorney's Office  
U.S. Department of Homeland Security  
Army Corps of Engineers  
Bureau of Indian Affairs  
Bureau of Labor Statistics  
Bureau of Land Management  
California Transportation Agency  
Commodity Futures Trading Commission  
Delaware River Basin Commission  
Employment and Training Administration  
Energy Information Administration  
Equal Employment Opportunity Commission  
European Commission  
Executive Office for Immigration Review  
Executive Office of the President  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Trade Commission

Financial Crimes Enforcement Network  
Government Accountability Office  
National Aeronautics and Space Administration  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Security Agency  
New York State Department of Financial Services  
Occupational Safety and Health Administration  
Office of the Director of National Intelligence  
Port Authority of New York & New Jersey  
Southern Ute Indian Tribe  
Standing Rock Sioux Tribe  
Texas Health and Human Services Commission  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Education  
U.S. Department of Health and Human Services  
U.S. Department of the Interior  
U.S. Navy  
U.S. Office Of Special Counsel

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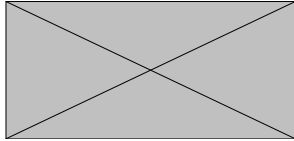
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**From:** Public Policy Law360  
**Sent:** Fri 5/31/2019 7:57:09 AM  
**Subject:** Trump Taps Dorsey & Whitney Atty For Utah Judgeship

## EXTERNAL EMAIL



PUBLIC POLICY.

Friday, May 31, 2019

## TOP NEWS

### Trump Taps Dorsey & Whitney Atty For Utah Judgeship

President Donald Trump has announced three new judicial nominations to district courts in Utah, New Mexico and the U.S. Virgin Islands, including a former U.S. attorney for the District of Utah currently with Dorsey & Whitney LLP.

[Read full article »](#)

#### Analysis

### FCC's Call-Blocking Plan Weathers Industry Resistance

A fast-approaching FCC vote to expand call-blocking technology faces mounting concern that the move would give carriers too much control over what communications customers can receive, but the agency appears determined to put it in place quickly.

[Read full article »](#)

### White House Ups Pressure On Congress To Pass NAFTA 2.0

The Trump administration accelerated its effort Thursday to enact the revised North American Free Trade Agreement by notifying Congress that it will send along implementing legislation for the trilateral accord in short order.

[Read full article »](#)

### IRS Aiming For Final BEAT Rules This Summer, Officials Say

The Internal Revenue Service aims to issue final regulations on the base erosion and anti-abuse tax sometime this summer, according to government officials who addressed questions Thursday about how the BEAT applies to insurance transactions.

[Read full article »](#)

### Judge Questions Why Roger Stone Thinks He's Singled Out

Evidence seems lacking that special counsel Robert Mueller's team unlawfully targeted GOP operative Roger Stone, the federal judge overseeing his trial on charges of lying and obstruction tied to the investigation of Russian interference in the 2016 election said Thursday.

[Read full article »](#)

## BANKING & SECURITIES

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Arnold & Porter  
Ashfords LLP  
Ballard Spahr  
Berry Appleman  
Blank Rome  
Brownstein Hyatt  
Bruce S. Rogow PA  
Buschel & Gibbons  
Clifford Chance  
Clyde & Co  
Cole Schotz  
Connell Foley  
Cooley  
DLA Piper  
DWF LLP  
DeCotiis FitzPatrick  
Dorsey & Whitney  
Eaton & Van Winkle LLP  
Fennemore Craig  
Foley Hoag  
Fried Frank  
Gibson Dunn  
Halloran Farkas  
Hassard Bonnington  
Hogan Lovells  
Holland & Knight  
Hughes Hubbard

CLV000938

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### ICO Issuers Better Mind Australian Law, Watchdog Says

Australia's securities watchdog said Thursday it believes that initial coin offerings and cryptocurrency-related assets are often similar to financial products subject to regulation, and urged businesses involved in such endeavors to be sure they are operating lawfully.

[Read full article »](#)

## ENERGY & ENVIRONMENTAL

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### 9th Circ. Revives Lead Ammo Suit Against Forest Service

The Ninth Circuit on Thursday revived environmental groups' lawsuit against the U.S. Forest Service over lead ammunition that's used in Arizona's Kaibab National Forest, which can be ingested by scavenger species — like the California condor — and poison them.

[Read full article »](#)

### Enviro Says Texas Barge Facility Should Be Shut Down

An environmental group has sued the Army Corps of Engineers in Texas federal court, alleging it improperly allowed an industrial barge facility to remain active on the state's coast despite the government revoking its permission to operate.

[Read full article »](#)

## TRANSPORTATION & INFRASTRUCTURE

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### Railroads Defend DOT's Inspection Rule Pause At DC Circ.

Railroads urged the D.C. Circuit on Wednesday to dump a labor union's challenge to the federal government's limited suspension of track safety regulations so that BNSF Railway Co. can test a new automated track inspection system.

[Read full article »](#)

### SF Taxi Group Seeks To Hit Brakes On Airport Pickup Rules

A San Francisco taxi group asked a California federal judge to halt a new regulation allowing only certain taxicab medallion holders to pick up airport passengers, saying Thursday city officials created the rules to rectify their own mistake of guaranteeing millions of dollars in medallion loans just before Uber and Lyft took off.

[Read full article »](#)

## EMPLOYMENT

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### 2nd Circ. Punts Ex-NFLer's Pot Decriminalization Suit To DEA

The Second Circuit on Thursday declined to rule on a former NFL player's suit seeking to decriminalize medical marijuana until he petitions the Drug Enforcement Administration to relax restrictions on the drug.

[Read full article »](#)

### Calif. Bill Reclassifying Contractors Advances After Dynamex

California's state Assembly has passed so-called "gig work" legislation that would classify hundreds of thousands of independent contractors — including Lyft and Uber drivers, filmmakers, truck drivers and others — as employees, codifying the California Supreme Court's unprecedented Dynamex decision last year.

Husch Blackwell  
Kanner & Whiteley  
King & Spalding  
Klemchuk LLP  
Labaton Sucharow  
Levin Sedran  
LibbyHoopes  
Lieff Cabraser  
Linklaters  
Locks Law Firm  
McGuire Law PC  
Michel & Associates  
Montgomery McCracken  
Mooney Green  
NastLaw LLC  
Offit Kurman  
Podhurst Orseck  
Prince Lobel  
Rimon PC  
Stroock & Stroock  
Varnell & Warwick  
Wachtell Lipton  
Wiley Rein

## COMPANIES

AAR Corp.  
American Bar Association  
American Civil Liberties Union  
Apple Inc.  
Association of American Railroads  
BNSF Railway Co.  
Center for Biological Diversity  
Center on Budget and Policy  
Priorities  
Deutsche Bank AG  
Dynamex, Inc.  
EE Ltd.  
Federal Bar Association  
Google Inc.  
Home Depot Inc.  
Insurance Europe Ltd.  
Intel Corp.  
Lyft Inc.  
NFL Enterprises LLC  
National Association of  
Broadcasters  
National Federation of  
Independent Business  
National Rifle Association of  
America  
National Shooting Sports  
Foundation Inc.  
New York Immigration Coalition

[Read full article »](#)

## TAX

### **NJ Atty Can't Challenge Tax Abatements, Appeals Court Says**

A New Jersey attorney on Thursday lost his challenge to tax abatements awarded by the city of Newark to two companies after a state appeals court found he lacked standing because he didn't live or pay property taxes in Newark.

[Read full article »](#)

### **SALT Cap Turning Out To Be No Big Deal, Panelists Say**

Despite dire warnings from New York Gov. Andrew Cuomo and others in blue states, there is little evidence that the cap on the deduction for state and local taxes paid has hurt those states or their residents, tax panelists said Thursday.

[Read full article »](#)

## IMMIGRATION

### **Trump Threatens Mexico With 25% Tariff To Stem Immigration**

The Trump administration on Thursday announced that it would impose an escalating tariff of up to 25% on all goods imported from Mexico unless the country does more to reduce the flow of migrants across the U.S. southern border.

[Read full article »](#)

### **Bus Co. Must Pay \$230K To Resolve Alleged H-2B Violations**

Houston-based El Expreso Bus Co. agreed to part with almost \$230,000 to resolve the U.S. Department of Justice's claims that the intercity bus service abused the H-2B visa program by favoring temporary foreign workers over American job applicants, the DOJ said Wednesday.

[Read full article »](#)

### **New Evidence Shows Redistricting Pro Behind Census Query**

Immigrant advocates fighting the addition of a citizenship question on the 2020 Census have unearthed evidence that top administration officials knew early on that adding the question would help Republicans and hurt Democrats in redistricting, the advocates said in letters filed in New York federal court and the U.S. Supreme Court on Thursday.

[Read full article »](#)

## TELECOMMUNICATIONS

### **FCC Should Reorganize Around Function, Strategists Say**

The Federal Communications Commission should reorganize itself to account for convergence in the media and telecom industries rather than continuing to operate with compartmentalized bureaus based on industry lines that have long since blurred, a group of former officials and consultants told the agency.

[Read full article »](#)

### **Small Broadcasters Urge FCC To Keep Ownership Controls**

Small radio stations pushed back on proposals by the Federal Communications Commission to loosen media ownership rules in filings posted Wednesday, saying that making those changes could push out independent operators as big companies gobble up more market share to compete with online outlets.

Panasonic Corporation  
Phoebe Putney Health System Inc.  
Public Knowledge  
QUALCOMM Inc.  
Samsung Electronics Co. Ltd.  
Sierra Club  
Spotify Technology SA  
Tax Foundation  
Twitter Inc.  
United Continental Holdings Inc.  
United States Telecom Association  
Urban-Brookings Tax Policy Center  
Vodafone Group PLC  
Wal-Mart Stores Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Attorney Registration and Disciplinary Commission  
Bureau of Citizenship and Immigration Services  
Bureau of Industry and Security  
California Supreme Court  
Centers for Medicare & Medicaid Services  
Department of Commerce  
Drug Enforcement Administration  
European Commission  
Executive Office of the President  
Federal Communications Commission  
Federal Railroad Administration  
Federal Trade Commission  
Internal Revenue Service  
Massachusetts Supreme Judicial Court  
NAFTA  
Nevada Attorney General's Office  
Nevada Legislature  
New York Attorney General's Office  
San Francisco International Airport  
Securities and Exchange Commission  
Solicitors Regulation Authority  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Homeland Security

[Read full article »](#)

## EXPERT ANALYSIS

### Opinion

#### **Huawei Ban Creates Challenge For Int'l Antitrust Enforcement**

As illustrated by Google's decision to suspend all business with Huawei, recent White House trade restrictions may have opened a Pandora's box that threatens to shake the foundations of effective competition and consumer welfare well beyond the United States' borders, says Christian Peeters at DWF.

[Read full article »](#)

#### **Employer Visa Challenges Inspire Forward-Thinking Bill**

A recent uptick in nonimmigrant visa denials has caused uncertainty for many U.S. employers, but the proposed Immigration Innovation Act could help reform existing law and slash many of the restrictive policies that have ensued in recent years, say Sanjee Welivittigoda and Xavier Francis of Berry Appleman.

[Read full article »](#)

#### **What To Know About Updates To Nevada's Online Privacy Law**

While not as far-reaching as the California Consumer Privacy Act, legislation recently passed by the Nevada Assembly amends the state's existing online privacy notice statutes in two notable ways, say attorneys at Husch Blackwell.

[Read full article »](#)

#### **Can The Affordable Care Act Survive The Latest Challenge?**

With Texas v. U.S. likely headed to the U.S. Supreme Court, the court's reasoning in prior Affordable Care Act litigation offers insight into whether the ACA minus the individual mandate can withstand this constitutional challenge, say Michael King and Emily Felder of Brownstein Hyatt.

[Read full article »](#)

## LEGAL INDUSTRY

#### **The 2019 Law360 Glass Ceiling Report**

Our annual survey of the largest U.S. law firms again shines a light on the lack of parity for female attorneys in private practice.

[Read full article »](#)

#### **#MeToo's Reach Falling Short Of BigLaw Rainmakers**

BigLaw is continuing to evade the problem of rainmakers committing sexual harassment or undercutting women and minority lawyers, a panel of experts said Thursday.

[Read full article »](#)

#### **DLA Piper Name Used As Bait In Fake Lawyer Phishing Scam**

Email scammers have been masquerading as attorneys from the U.K. arm of DLA Piper, the Solicitors Regulation Authority warned on Wednesday, the latest in a string of email scams that co-opt the names of authentic British firms and personnel.

[Read full article »](#)

#### **No-Show Deutsche Bank Whistleblower Loses Dismissal Bid**

A Deutsche Bank whistleblower, facing a lawsuit by Canadian consultants seeking a

[U.S. Department of Justice](#)  
[U.S. Department of Labor](#)  
[U.S. Department of Transportation](#)  
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[U.S. Immigration and Customs Enforcement](#)  
[U.S. Supreme Court](#)

cut of his \$8.25 million U.S. Securities and Exchange Commission award, got bad news on his dismissal bid from a New York state court judge Thursday — but no one on his team was there to hear it.

[Read full article »](#)

### **IP Atty's Ex-Wife Looks To Win His 401(k) Funds**

The ex-wife of a former Eaton & Van Winkle LLP intellectual property attorney has urged a New York federal judge to award her the funds in a 401(k) plan he had with the firm, the latest move in a fight over whether she or the lawyer's current wife should get the money.

[Read full article »](#)

### **Mass. Judge Charged With Aiding ICE Escape Asks For Salary**

A Massachusetts state judge charged with helping an immigrant escape U.S. Immigration and Customs Enforcement custody may soon need to choose between keeping her home and mounting a strong defense, her lawyers told the state's top court Thursday in a bid to reinstate her salary.

[Read full article »](#)

### **Law360's Weekly Verdict: Legal Lions & Lambs**

A team of Varnell & Warwick PA and nonprofit attorneys made this week's legal lions list with a high court win on class action removal practices, while Montgomery McCracken Walker & Rhoads LLP was among the legal lambs after a jury slammed its client with up to \$68 million in damages.

[Read full article »](#)

#### **Podcast**

### **Law360's Pro Say: Will The Glass Ceiling Ever Break?**

For years women have been looking around their law firms and seeing mostly men in leadership. When will things change? On the latest episode of Law360's Pro Say podcast we discuss our annual Glass Ceiling report, which reveals a glacial pace for increased gender parity in the law, and we talk to one prominent female attorney who managed to crack the glass ceiling.

[Read full article »](#)

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Clifford Chance  
Clyde & Co  
Cole Schotz  
Connell Foley  
Cooley

DLA Piper  
DWF LLP  
DeCotiis FitzPatrick  
Dorsey & Whitney  
Eaton & Van Winkle LLP  
Fennemore Craig  
Foley Hoag  
Fried Frank  
Gibson Dunn  
Halloran Farkas  
Hassard Bonnington  
Hogan Lovells  
Holland & Knight  
Hughes Hubbard  
Husch Blackwell  
Kanner & Whiteley  
King & Spalding  
Klemchuk LLP  
Labaton Sucharow  
Levin Sedran  
LibbyHoopes  
Lieff Cabraser  
Linklaters  
Locks Law Firm  
McGuire Law PC  
Michel & Associates  
Montgomery McCracken  
Mooney Green  
NastLaw LLC  
Offit Kurman  
Podhurst Orseck  
Prince Lobel  
Rimon PC  
Stroock & Stroock  
Varnell & Warwick  
Wachtell Lipton  
Wiley Rein

#### COMPANIES

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Google Inc.  
Lyft Inc.  
NFL Enterprises LLC  
AAR Corp.  
American Bar Association  
Apple Inc.  
Association of American Railroads  
BNSF Railway Co.  
Center for Biological Diversity  
Center on Budget and Policy Priorities  
Deutsche Bank AG



Dynamex, Inc.  
EE Ltd.  
Federal Bar Association  
Home Depot Inc.  
Insurance Europe Ltd.  
Intel Corp.  
National Association of Broadcasters  
National Federation of Independent Business  
National Rifle Association of America  
National Shooting Sports Foundation Inc.  
New York Immigration Coalition  
Panasonic Corporation  
Phoebe Putney Health System Inc.  
Public Knowledge  
QUALCOMM Inc.  
Samsung Electronics Co. Ltd.  
Sierra Club  
Spotify Technology SA  
Tax Foundation  
Twitter Inc.  
United Continental Holdings Inc.  
United States Telecom Association  
Urban-Brookings Tax Policy Center  
Vodafone Group PLC  
Wal-Mart Stores Inc.

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Federal Communications Commission  
U.S. Attorney's Office  
Bureau of Citizenship and Immigration Services  
Department of Commerce  
Executive Office of the President  
NAFTA  
Securities and Exchange Commission  
U.S. Department of Labor  
Army Corps of Engineers  
Attorney Registration and Disciplinary Commission  
Bureau of Industry and Security  
California Supreme Court  
Centers for Medicare & Medicaid Services  
Drug Enforcement Administration  
European Commission  
Federal Railroad Administration  
Federal Trade Commission  
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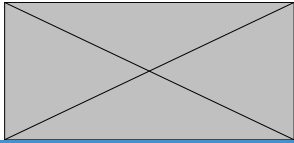
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**From:** Public Policy Law360  
**Sent:** Fri 2/2/2018 8:31:23 AM  
**Subject:** Dip In 2017 Corporate FCPA Actions: A Ripple Or Sea Change?



**PUBLIC POLICY.**

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**Friday, February 2, 2018**

### TOP NEWS

#### Analysis

#### **Dip In 2017 Corporate FCPA Actions: A Ripple Or Sea Change?**

Foreign Corrupt Practices Act enforcement actions against corporations plummeted during President Donald Trump's first year, according to a new report by Jones Day, but it remains unclear whether the drop-off is the result of a policy shift in line with new prosecutorial guidance or an anomaly. [Read more »](#)

#### Analysis

#### **9th Circ. Ruling Broadens Reach Of CWA Pollution Liability**

The Ninth Circuit on Thursday said that wastewater injections whose pollution reaches navigable U.S. waters via groundwater are subject to Clean Water Act permitting requirements, a decision experts say expands the scope of CWA liability to potentially ensnare activities ranging from coal ash and pipeline spills to agricultural runoff. [Read more »](#)

#### **Mulvaney Cuts CFPB Fair Lending Office's Enforcement Power**

Consumer Financial Protection Bureau Acting Director Mick Mulvaney said Tuesday that a key agency office tasked with policing lenders for compliance with anti-discrimination laws will lose its enforcement duties and be brought under the purview of his office, a move that is sparking criticism from consumer advocacy and civil rights groups. [Read more »](#)

#### Feature

#### **As Super Bowl Nears, Odds On Sports Betting Look Bright**

The professional sports leagues have already started to soften their stance on legalizing sports betting as the U.S. Supreme Court considers the issue, but the \$4.8 billion that's estimated to be bet on Sunday's Super Bowl — nearly all of it illegally — could hasten their desire for legalization. [Read more »](#)

#### Analysis

#### **CFPB May Be Moving Away From Using In-House Courts**

The Consumer Financial Protection Bureau's Wednesday request for information from business and other groups about the bureau's in-house courts may be an indication that it is aiming to move away from hearing contested cases through administrative procedures, experts say. [Read more »](#)

#### **PTAB Chief Denies Dictating Results With Expanded Panels**

The Patent Trial and Appeal Board's chief judge pushed back Thursday on criticism

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from U.S. Supreme Court justices and others that the board can “stack the deck” and manipulate outcomes of cases by expanding panels, saying expansions aim to spotlight important issues, not dictate findings. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Feds Fight At 9th Circ. Against Water Release Order

The federal government and others on Wednesday further urged the Ninth Circuit to overturn a lower court’s determination that the government must boost water releases and monitoring at a series of dams along the Columbia and Snake rivers to protect salmon and steelhead. [Read more »](#)

### NJ Joins Support For Delaware River Fracking Ban

Continuing his pledge to reverse New Jersey’s prior stance on several environmental issues, Gov. Phil Murphy on Thursday announced the state’s newfound support for a proposal that would ban high-volume fracking in the Delaware River Basin. [Read more »](#)

## HEALTH & LIFE SCIENCES

### Gov’t Defends FCA Whistleblower Provision At 10th Circ.

The whistleblower provision of the False Claims Act isn’t unconstitutional, the Trump administration said Tuesday after intervening to defend the law in a fraudulent health care reimbursement suit pending before the Tenth Circuit. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### Amtrak Urges High Court To Mull 'Errant' On-Time Train Ruling

Amtrak told the U.S. Supreme Court on Tuesday that critical national interests are at stake if a recently voided law defining the threshold for “on-time” passenger trains is left standing, leaving freight railroads free to flout Amtrak’s longstanding right of way over cargo traffic on railways without penalty. [Read more »](#)

### Puerto Rico Electric Co. Preparing To Privatize, Says Panel

Puerto Rico's beleaguered public electric utility has kickstarted efforts to modernize its infrastructure, which was exposed as outdated and inefficient in the wake of Hurricane Maria, by advancing a push to privatize operations and adopting a new visionary framework, a governing board member said Thursday. [Read more »](#)

## EMPLOYMENT

### Advocates Slam DOL For Allegedly Hiding Tip Pool Data

Democratic politicians and worker advocates are pressuring the U.S. Department of Labor to abandon a proposal to rescind a 2011 rule blocking businesses from redistributing workers’ tips, in the wake of a Thursday report that the agency hid an analysis showing the rule could let employers pocket billions of dollars in workers’ tips. [Read more »](#)

### Philly Wants Hearing To Defend Salary Inquiry Law

A lawyer for the city of Philadelphia on Thursday pushed a Pennsylvania federal judge for a hearing and discovery to fight off the Chamber of Commerce for Greater Philadelphia’s bid to halt an ordinance that would bar employers from asking applicants about their pay history. [Read more »](#)

## AEROSPACE & DEFENSE

Kirkland & Ellis  
Lane Powell  
Latham & Watkins  
Manning Curtis  
Mayer Brown  
McDermott Will  
Morgan & Morgan  
Morgan Lewis  
Norton Rose Fulbright  
O'Melveny & Myers  
Offit Kurman  
Orrick Herrington  
Paul Hastings  
Polsinelli  
Proskauer Rose  
Riley Safer  
Sidley Austin  
Steptoe & Johnson LLP  
Stoel Rives  
Telecommunications Law Professionals  
Troutman Sanders  
Waller Lansden  
Weiner Brodsky  
Wiley Rein  
WilmerHale

## COMPANIES

AAR Corporation  
AT&T Inc.  
AbbVie Inc.  
Ally Financial Inc.  
Amazon.com Inc.  
American Gaming Association  
Apple Inc.  
Ariosa Diagnostics Inc.  
Association of American Railroads  
Berkeley Research Group  
Big Lots Inc.  
CH Energy Group Inc.  
Cable News Network Inc.  
Cato Institute  
Citizens for Responsibility and Ethics in Washington  
Competitive Carriers Association  
Council on Foreign Relations  
Dollar General Corporation  
Dominion Energy Inc.  
ESPN Inc.  
Ford Motor Company  
Friedman LLP  
Google Inc.

## House Dems Want Answers From Strava On Privacy Issues

A group of congressional Democrats sent a letter Wednesday to Strava Inc., the embattled fitness tracking app developer whose usage map may have revealed secret information about military and intelligence bases, asking the company to explain its privacy practices. [Read more »](#)

## Watchdog Backs DOD's \$16B In Foreign Sales Cost Waivers

The nearly \$16 billion in cost waivers the U.S. Department of Defense has granted under the Foreign Military Sales program over the past few years have effectively advanced U.S. interests, but the DOD should streamline its process for deciding on those waivers, according to a watchdog report released Wednesday. [Read more »](#)

## DOD Acquisition Panel Calls For 'Dynamic Marketplace'

An expert panel tasked by Congress with reviewing the U.S. Department of Defense's acquisition processes released the first section of its much-anticipated report Wednesday, introducing a "dynamic marketplace" proposal that would see the Pentagon lean more heavily on commercial items. [Read more »](#)

## INTERNATIONAL TRADE

### US, S. Korea Home In On Tariffs, Market Access In Talks

The Trump administration's effort to amend the 2012 trade agreement between the U.S. and South Korea chugged along Thursday as the two sides wrapped up their second round of talks, which focused primarily on the reduction of tariffs and improved market access. [Read more »](#)

### Freeland Says 'Explicitly Protectionist' US Roiling NAFTA

Canadian Foreign Minister Chrystia Freeland on Wednesday said that the Trump administration's "explicitly protectionist" positions are complicating the effort to renegotiate the North American Free Trade Agreement, particularly when it comes to the thorniest issues, such as rules governing automotive trade between the partners. [Read more »](#)

## TAX

### DOJ Settles Final Case In IRS Political Targeting Row

The Internal Revenue Service reached its final settlement on Thursday in a series of cases accusing the agency of political bias in the processing of applications for tax-exempt status, according to an announcement from the U.S. Department of Justice. [Read more »](#)

### Analysis

### EU Nations Won't Wait For Agreement On Digital Tax Rules

Some European Union countries may forge ahead with their own policies for taxing the digital economy in the absence of bloc-wide consensus, specialists say, citing the new U.S. tax law and another potential punt from the Organization for Economic Cooperation and Development. [Read more »](#)

### IRS Rules Would OK Partnerships To Adjust Outside Bases

The IRS on Thursday proposed highly awaited rules that would allow a partnership to make adjustments to its outside basis when the agency determined the partnership owes tax under the new centralized partnership audit regime that took effect at the beginning of the year. [Read more »](#)

## IMMIGRATION

### Trump Chides Dems On Immigration Reform At GOP Retreat

President Donald Trump rebuked Democrats for stalling immigration reform legislation in his address at the annual Republican retreat on Thursday, saying that

Hudson City Bancorp Inc.  
Illumina Inc.  
Intellectual Capital  
Intermountain Healthcare Inc.  
KPMG International  
Kinder Morgan  
Major League Baseball Inc.  
NFL Enterprises LLC  
National Basketball Association  
National Consumer Law Center  
National Employment Law Project  
National Hockey League  
National Restaurant Association  
National Wildlife Federation  
New England Patriots  
New York City Bar Association  
New York Times Co.  
Oakland Raiders  
Oil States International Inc.  
PHH Corporation  
Philadelphia Eagles  
Platinum Partners LP  
PricewaterhouseCoopers  
Sierra Club  
Star Scientific, Inc.  
The Institute of Electrical and Electronics Engineers Inc.  
Union Pacific Corporation  
Xerox Corporation

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Commodity Futures Trading Commission  
Confederated Salish & Kootenai Tribes  
Consumer Financial Protection Bureau  
Defense Security Cooperation Agency  
Delaware River Basin Commission  
Department of Commerce  
European Commission  
European Union  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Emergency Management Agency  
Federal Judicial Center

an equitable compromise must include the kind of enhanced border security measures that he has proposed. [Read more »](#)

### Chicago Pursues Halt On Immigration-Related Grant Terms

The city of Chicago on Wednesday asked an Illinois federal judge to give it a quick win and issue a nationwide, permanent injunction in its challenge to the federal government's immigration-related conditions on federal public safety grants, while attorneys general from more than a dozen states filed in support of the city. [Read more »](#)

## TELECOMMUNICATIONS

### Analysis

#### FCC's Econ Office Expected To Ground Decisions In Data

The Federal Communications Commission kicked off a somewhat controversial reorganization effort this week when it voted Tuesday to open a new Office of Economics and Analytics — a move criticized by the agency's two Democratic commissioners but expected by experts to support bipartisan goals. [Read more »](#)

#### FCC Must Craft Flexible Interference Policy, Group Says

The Federal Communications Commission should take a more market-based approach to interference disputes in spectrum allocation, a Washington think tank told the agency Wednesday. [Read more »](#)

#### FCC To Tackle New Spectrum, Tech Approval In Feb.

The Federal Communications Commission will address spectrum and resource allocation issues in the month of February, teeing up rulemaking on high-band frequencies previously underutilized for communications services and proposing guidelines for faster approval of new technologies. [Read more »](#)

## WHITE COLLAR

#### Menendez Walked Due To Lack Of Quid Pro Quo, His Atty Says

Sen. Bob Menendez, D-N.J., walked away from a public corruption prosecution, his attorney Abbe David Lowell of Norton Rose Fulbright said Thursday, not because of a recent loosening of anti-corruption standards but because the facts did not establish a quid pro quo of bribery. [Read more »](#)

#### Gates' Attys Quit Conspiracy Case After Reported Sidley Hire

Attorneys for Richard W. Gates III, the indicted business partner of President Donald Trump's former campaign chairman, on Thursday asked to pull out of representing him in the case a week after reports that Gates had hired a white collar trial and investigations pro from Sidley Austin LLP. [Read more »](#)

## CIVIL RIGHTS

#### Judge Strikes Down Florida's Felon Voter Restoration System

A federal judge on Thursday struck down Florida's process for deciding whether to restore ex-felons' voting rights, saying it violates the First and Fourteenth Amendments because the governor's unfettered discretion creates serious risk of arbitrary decisions or "viewpoint discrimination," whether along racial, religious or partisan lines. [Read more »](#)

## EXPERT ANALYSIS

#### State Of The Union And Trump's Rigid Course On Immigration

The four pillars of President Donald Trump's immigration plan are not new — they were proposed by the White House a week before his State of the Union address

Federal Railroad Administration  
Federal Trade Commission  
Florida Attorney General's Office  
Government Accountability Office  
Illinois Supreme Court  
Internal Revenue Service  
Kootenai Tribe of Idaho  
NAFTA  
National Marine Fisheries Service  
National Railroad Passenger Corporation  
Securities and Exchange Commission  
Surface Transportation Board  
Tennessee Valley Authority  
U.S. Army  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. House Committee on Energy and Commerce  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Patent and Trademark Office  
U.S. Supreme Court  
United States District Court for the Eastern District of Pennsylvania  
Wage and Hour Division



Tuesday. However, by placing them in the speech, the president seems to be signaling that this is his bottom line, says Jeffrey Gorsky of Berry Appleman & Leiden LLP. [Read more »](#)

### **The PHH Decision And Its Consequences For The CFPB**

With the D.C. Circuit's decision in PHH v. Consumer Financial Protection Bureau Wednesday, the bureau prevailed on an important constitutional issue. However, the full content and context of the court's opinion offers as much to bureau critics as it does to its supporters, say Eric Mogilnicki and Andrew Smith of Covington & Burling LLP. [Read more »](#)

#### **Opinion**

### **DOJ Has New Policy On FCA Dismissals — Finally**

It always seemed unconscionable — even when I was a federal prosecutor — to require defendants who succeeded in persuading the U.S. Department of Justice that a False Claims Act qui tam action was meritless to then have to defend themselves anew against the relator in court. The DOJ's recent change in policy is welcome news, says Harold Malkin of Lane Powell PC. [Read more »](#)

### **Under New Tax Law, Time Is Running Out For Ponzi Victims**

Counsel representing victims of Ponzi schemes should note that the Tax Cuts and Jobs Act eliminates the theft tax loss provisions of the Internal Revenue Code for tax years after 2017. The time to act is now, before this important tax benefit goes away, says Kevin Diamond of Rico Murphy & Diamond LLP. [Read more »](#)

### **An Overdue Re-Examination Of Antitrust Policy Toward SEPs**

Assistant Attorney General Makan Delrahim's recent speech on antitrust issues regarding standards development and patents implicating standards is promising in that, for the first time in a while, we might have an authentic innovation champion at the U.S. Department of Justice, say David Teece of Berkeley Research Group LLC and Edward Sherry of Expert Research Associates Inc. [Read more »](#)

### **A Big Step Toward Harmonizing Swap Trading Markets**

With a recent order from the U.S. Commodity Futures Trading Commission, swap trading market participants are now able to satisfy trading mandates in both the U.S. and the EU. Without this combined effort of regulators, swap dealers and traders would have faced a fragmented market this year, say Stephen Humenik and Uttara Dukkupati of Covington & Burling LLP. [Read more »](#)

## **LEGAL INDUSTRY**

#### **Feature**

### **Under Judge Garland, DC Goes 'Circuit Riding'**

With a traveling D.C. Circuit seal affixed to a wall behind him, a table-turned-makeshift bench beneath him and a room full of law students in front of him in an American University conference hall, Chief Judge Merrick B. Garland started oral arguments in two appeals last week by answering his own question: Why are we here? [Read more »](#)

### **Cook County Clerk Appeals Order On Access To E-Filed Suits**

Cook County Circuit Court Clerk Dorothy Brown is appealing an injunction that would have required her office to provide instant access to lawsuits filed electronically in the Chicago-area circuit courts by next week, according to court documents filed Wednesday. [Read more »](#)

### **Law360's Weekly Verdict: Legal Lions & Lambs**

A team of attorneys led by Norton Rose Fulbright's Abbe Lowell secured the dismissal of the corruption case against U.S. Sen. Bob Menendez, D-N.J., earning them a spot on this week's legal lions list, while the legal lambs list was headed up by a Troutman Sanders LLP attorney bench-slapped by the Eleventh Circuit for convincing a district court to shirk the appeals court's mandate in a retail chain exclusivity row. [Read more »](#)

## Law360's 2018 Editorial Board Selection Survey

Law360 is looking for avid readers of our publications to serve as members on our 2018 editorial advisory boards. [Read more »](#)

### Series

#### What I Learned In My First Year: A Judge's Example

Law school taught me how to think like a lawyer, but the district court judge I clerked for my first year out of law school taught me how to be a lawyer. This was the gift she gave to all of her law clerks, in one form or another, says M.C. Sungaila of Haynes and Boone LLP. [Read more »](#)

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Morgan Lewis  
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Riley Safer  
Sidley Austin  
Steptoe & Johnson LLP  
Stoel Rives  
Telecommunications Law Professionals  
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#### COMPANIES

PHH Corporation  
Apple Inc.  
Philadelphia Eagles  
AAR Corporation  
AT&T Inc.  
AbbVie Inc.  
Ally Financial Inc.  
Amazon.com Inc.  
American Gaming Association  
Ariosa Diagnostics Inc.  
Association of American Railroads  
Berkeley Research Group  
Big Lots Inc.  
CH Energy Group Inc.  
Cable News Network Inc.  
Cato Institute  
Citizens for Responsibility and Ethics in Washington  
Competitive Carriers Association  
Council on Foreign Relations  
Dollar General Corporation  
Dominion Energy Inc.  
ESPN Inc.  
Ford Motor Company  
Friedman LLP  
Google Inc.  
Hudson City Bancorp Inc.  
Illumina Inc.  
Intellectual Capital  
Intermountain Healthcare Inc.  
KPMG International  
Kinder Morgan  
Major League Baseball Inc.  
NFL Enterprises LLC  
National Basketball Association

National Consumer Law Center  
National Employment Law Project  
National Hockey League  
National Restaurant Association  
National Wildlife Federation  
New England Patriots  
New York City Bar Association  
New York Times Co.  
Oakland Raiders  
Oil States International Inc.  
Platinum Partners LP  
PricewaterhouseCoopers  
Sierra Club  
Star Scientific, Inc.  
The Institute of Electrical and Electronics Engineers Inc.  
Union Pacific Corporation  
Xerox Corporation

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Consumer Financial Protection Bureau  
Federal Communications Commission  
Internal Revenue Service  
Securities and Exchange Commission  
U.S. Department of Defense  
Army Corps of Engineers  
European Union  
Executive Office of the President  
Federal Trade Commission  
NAFTA  
U.S. Army  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
Commodity Futures Trading Commission  
Confederated Salish & Kootenai Tribes  
Defense Security Cooperation Agency  
Delaware River Basin Commission  
Department of Commerce  
European Commission  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Emergency Management Agency  
Federal Judicial Center  
Federal Railroad Administration  
Florida Attorney General's Office  
Government Accountability Office  
Illinois Supreme Court  
Kootenai Tribe of Idaho  
National Marine Fisheries Service  
National Railroad Passenger Corporation

Surface Transportation Board  
Tennessee Valley Authority  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. House Committee on Energy and Commerce  
U.S. Immigration and Customs Enforcement  
United States District Court for the Eastern District of Pennsylvania  
Wage and Hour Division

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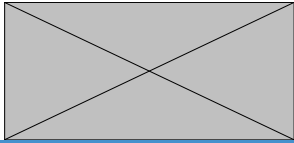
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**From:** Public Policy Law360  
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**Subject:** [Marketing Mail] House Sets Climactic Friday Vote On ACA Repeal



**PUBLIC POLICY**

## The Road To 60 Votes: Confirming Neil Gorsuch

Follow Law360's up-to-the-minute coverage.

**Friday, March 24, 2017**

### TOP NEWS

#### House Sets Climactic Friday Vote On ACA Repeal

The U.S. House of Representatives will vote Friday on whether to repeal and replace much of the Affordable Care Act, marking a high-stakes test for President Donald Trump and the Republican-controlled Congress.

#### GSA Says Trump Org Has Complied With Disputed Hotel Lease

The U.S. General Services Administration on Thursday announced that the Trump Organization has complied with its \$180 million lease on the federally owned Old Post Office building in Washington, D.C., after concerns that President Donald Trump's connection to the lease may have broken a contractual clause.

#### As Gorsuch Panel Ends, Senate Filibuster Looms

After days of committee questioning and testimony on Tenth Circuit Judge Neil Gorsuch, President Donald Trump's nominee to the U.S. Supreme Court, many Democrats cemented their opposition Thursday and could try to block his confirmation.

#### Trump Admin. Gets Fast Appeal Of Immigration Ban Suit

The Fourth Circuit on Thursday granted the federal government's request for an expedited appeal of a Maryland federal judge's ruling blocking President Donald Trump's revised immigration ban targeting migrants from majority-Muslim countries, after the government cited "national security needs."

#### Senate Votes To Undo FCC's Broadband Privacy Rules

The U.S. Senate on Thursday passed a resolution to repeal broadband privacy rules issued by the Federal Communications Commission last year, leaving the fate of the hotly contested measure in the hands of the U.S. House of Representatives.

#### Senate Sends Repeal Of OSHA Record-Keeping Rule To Trump

The U.S. Senate on Wednesday passed a resolution to kill an Obama-era regulation that would allow the Occupational Safety and Health Administration to fine employers over a full five-year period for failing to properly track and report workplace injuries and illnesses after they occur, sending the measure to President Donald Trump for likely approval.

#### Analysis

#### 4 Tax Changes Delaying GOP Health Plan Vote

As President Donald Trump and House Republicans struggle to get backers for their

### LAW FIRMS

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Arnold & Porter Kaye Scholer  
Audet & Partners  
Baker Botts  
Bartko Zankel  
Bartlit Beck  
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Brashear LLP  
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Covington & Burling  
Creizman LLC  
Cuneo Gilbert  
Debevoise & Plimpton  
Dewey & LeBoeuf  
Dinsmore & Shohl  
Earthjustice  
Fish & Richardson  
Foley Hoag  
Gibson Dunn  
Goldberg Kohn  
Goldstein & Russell  
Goodwin  
Gordon & Rees  
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Hymson Goldstein  
Jenner & Block  
Johnson & Bell  
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Law Offices of Ann C. Flannery  
LLC

CLV000955

health care plan to replace the Affordable Care Act, Law360 looks at some of the controversial tax changes that are holding up a House vote.

#### Analysis

### US Atty Hopefuls In Calif. Face Uncertain Process

California's four U.S. attorney positions are currently open, but political friction between the state's Democratic senators and the White House has the application process off to a haphazard start.

## BANKING & SECURITIES

#### Analysis

### 5 Takeaways From Clayton's SEC Confirmation Hearing

President Donald Trump's nominee to chair the U.S. Securities and Exchange Commission, Sullivan & Cromwell LLP partner Jay Clayton, scored points with Republican lawmakers at his confirmation hearing Thursday by lamenting a recent decline in IPOs, but did little to reassure Democrats about his conflicts of interest and financial industry connections. Here are five key takeaways from Thursday's hearing.

## ENERGY & ENVIRONMENTAL

### Lawmakers Introduce Bipartisan Water Infrastructure Bill

A bipartisan group of U.S. senators on Wednesday announced the introduction of a new piece of legislation to provide increased flexibility to local communities when they are complying with federal requirements for updates to water infrastructure projects.

### Reps. Again Float Bill To Boost Funding For Mine Cleanups

U.S. Reps. Jody Hice, R-Ga., and Alan Lowenthal, D-Calif., again floated a bill Wednesday to form a foundation that raises private funding to help the federal government more quickly and effectively clean up mines, citing the Gold King Mine spill as an example of the need for boosted financial aid.

### High Court Shouldn't Delay Water Rule Suit, 7 States Say

New York, six other states and Washington, D.C., have asked the U.S. Supreme Court not to pause an appeal of the Sixth Circuit's decision that it has jurisdiction to hear challenges to the so-called Waters of the United States rule, arguing that despite President Donald Trump's executive order to revise or rescind the measure, the case should proceed through the courts.

### EPA Ordered To Review 13 Sources Of Air Pollution By 2020

A D.C. federal judge on Wednesday ordered the U.S. Environmental Protection Agency to update national emission standards for 13 sources of hazardous air pollutants — which the agency had failed to do as required by the Clean Air Act — by 2019 or 2020.

### NJ Water Agency Settles Claims Against Ex-Board Members

A judge on Wednesday approved a roughly \$1.1 million settlement between a defunct Newark, New Jersey, water agency and an insurer over the coverage of mismanagement claims against former agency board members, including U.S. Rep. Donald M. Payne Jr., D-N.J., and U.S. Sen. Cory Booker, D-N.J., whose dismissal victory over the claims was being challenged.

## HEALTH & LIFE SCIENCES

### House Repeals Antitrust Immunity For Health Insurance Cos.

The U.S. House of Representatives on Wednesday overwhelmingly passed a bill that restores the government's ability to charge health insurers under federal

Locke Lord  
Mayer Brown  
McDonald Carano  
Milbank Tweed  
Morgan Lewis  
Morris Manning  
Morvillo Abramowitz  
Nossaman LLP  
O'Melveny & Myers  
Ogletree Deakins  
Outten & Golden  
Proskauer Rose  
Reed Smith  
Rogers Joseph  
Sanford Heisler  
Schlam Stone  
Seward & Kissel  
Sidley Austin  
Siprut PC  
Skadden  
Squire Patton Boggs  
Steptoe & Johnson LLP  
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Thompson & Knight  
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## COMPANIES

AAR Corporation  
Airbnb Inc.  
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Amazon.com Inc.  
American Bar Association  
American Civil Liberties Union  
American Farm Bureau Federation  
American Federation of Labor and Congress of Industrial Organizations  
Association of American Railroads  
Association of Corporate Counsel  
BP p.l.c.  
Barclays PLC  
Barnes & Noble Inc.  
Bayer AG  
Bayer CropScience Ltd.  
Bristol-Myers Squibb Company  
Center for American Progress

antitrust laws, but while Republicans touted it as a way to protect competition and consumers, Democrats called such claims “exaggerated.”

### ACA Repeal Savings Decline By Nearly \$200B, CBO Says

Recent revisions to GOP-backed legislation intended to repeal and replace the Affordable Care Act would cause the bill to save almost \$200 billion less than originally expected, the Congressional Budget Office estimated Thursday.

### Trump Names Heritage Foundation Director For HHS OCR

The Donald Trump administration has reportedly named a former Heritage Foundation official to lead the U.S. Department of Health and Human Services' Office of Civil Rights, igniting protests Thursday from civil rights organizations, who call him an "anti-LGBT extremist."

## SPORTS

### Ark. Lawmakers Wavering On Firearms At College Sports

Arkansas lawmakers on Thursday pushed forward with a new bill that would exempt college sports games from a law passed earlier this week that allows licensed individuals to carry concealed firearms on college campuses across the state.

## TRANSPORTATION & INFRASTRUCTURE

### DC Court Rejects Feds' Bid To Save Amtrak Regulatory Power

A D.C. federal judge on Thursday rejected the government's bid to preserve a federal statute allowing Amtrak to set performance and scheduling standards along the nation's passenger railways, saying the D.C. Circuit unequivocally struck down the statute as unconstitutional last year.

## RETAIL & E-COMMERCE

### Ariz. Supreme Court Nixes Atty Fee Award In Contract Row

The Arizona Supreme Court on Thursday threw out attorneys' fees awarded to the successful party in a yearslong contract dispute between a scooter vendor and retailer, saying state law came down in favor of the losing side of the dispute because the winner had rejected the loser's written settlement offer.

## REAL ESTATE

### Miami Hints At Suing Airbnb To Stop Illegal Renting

The Miami City Commission voted Thursday to look into the possibility of suing platforms like Airbnb as a means of curbing short-term rentals in residential neighborhoods where they're prohibited by zoning laws.

## EMPLOYMENT

### Worker Groups Give Acosta Thumbs-Down After Hearing

Labor secretary nominee Alexander Acosta's performance at his confirmation hearing Wednesday drew criticism from labor groups that he failed to outline his position on a range of key issues, an assessment that came even from some organizations that had previously expressed cautious optimism about his selection.

### NJ Assembly Passes Bill Nixing Secret Whistleblower Deals

A New Jersey bill that would require whistleblower settlements involving government parties to be public domain received unanimous approval by the Assembly on Thursday, three days after a fired prosecutor testified that his \$1.3 million deal from

Chevron Corporation  
Communications Workers of America  
Deutsche Bank AG  
Dow Chemical Co.  
FTI Consulting Inc.  
Facebook  
FilmOn PLC  
Goldman Sachs Group Inc.  
Google Inc.  
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National Association of Broadcasters  
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Svenska Cellulosa AB  
T-Mobile USA Inc.  
Tenaris S.A.  
Trump Organization Inc.  
United States Steel Corporation  
United Steelworkers  
Varsity Brands Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Labor Statistics  
Bureau of Land Management  
Commodity Futures Trading Commission  
Congressional Budget Office  
Defense Contract Management Agency  
Department of Commerce  
Equal Employment Opportunity Commission  
European Commission  
Executive Office of the President  
Federal Acquisition Regulatory Council

the state shields key documents supporting his case.

### **Rental Car Co. Settles Sex Bias Case With Lesbian Driver**

A lesbian car transport driver and Enterprise Rent-a-Car subsidiary EAN Holdings LLC have agreed to dismiss her push for the Eighth Circuit to revive her Title VII sexual orientation discrimination case against the company, according to a notice filed Thursday.

### **4th Circ. Affirms Toss Of Retirees' Health Benefits Suit**

A Fourth Circuit panel on Wednesday affirmed a district court's dismissal of a suit from a class of West Virginia aluminum plant retirees and their union that sued the plant's operator after it unilaterally altered its retiree health benefits program, saying their collective bargaining agreement doesn't provide for vested retiree health benefits.

## **PRIVACY & CONSUMER PROTECTION**

### **Calif. Toll System Doesn't Violate Drivers' Privacy, Court Told**

The operators of a cashless toll system in Orange County, California, told a federal judge that state laws authorize toll agencies to use driver information to collect unpaid tolls, slamming a proposed class of drivers claiming the practice violates their privacy.

## **GOVERNMENT CONTRACTS**

### **GSA To Tweak Multiple Award Schedules In April**

The General Services Administration's Federal Acquisition Service will refresh its Multiple Award Schedules in April, incorporating a range of recent related rule changes such as paid sick leave for federal contract employees and small business subcontracting tweaks, it said on Wednesday.

### **Advocacy Group Warns 5th Circ. Not To Dissuade FCA Suits**

Taxpayers Against Fraud's nonprofit arm urged the Fifth Circuit Wednesday to revive a would-be whistleblower's False Claims Act suit accusing Lockheed Martin and Northrop Grumman of concealing the true cost of the hugely expensive F-35 fighter program, arguing relators like these need to be incentivized, not discouraged.

## **INTERNATIONAL TRADE**

### **Lawyers Rip White House For Intervening In Dumping Review**

Lawyers involved in an anti-dumping duty review of Korean oil piping materials blasted the National Trade Council head Peter K. Navarro for allegedly applying White House political pressure and faulty logic to a U.S. Department of Commerce dumping margin review.

### **India Floats Draft Text Of WTO Services Agreement**

India has circulated a new proposal outlining its vision for a World Trade Organization services agreement, which could loosen up cross-border rules for financial services, telecommunications and scores of other lucrative industries, the WTO said Thursday.

## **TAX**

### **Ill. Justices Remand Non-Profit Hospital Property Tax Issue**

A long-fought case involving property tax exemptions for non-profit hospitals will head back to circuit court after the Illinois Supreme Court declined to rule on the law's constitutionality Thursday.

Federal Communications Commission  
Federal Railroad Administration  
Federal Trade Commission  
Government Accountability Office  
Illinois Supreme Court  
Internal Revenue Service  
International Trade Administration  
International Trade Commission  
Los Angeles County District Attorney's Office  
NATO  
National Labor Relations Board  
National Railroad Passenger Corporation  
Navajo Nation  
New York Attorney General's Office  
Occupational Safety and Health Administration  
Securities and Exchange Commission  
Small Business Administration  
Surface Transportation Board  
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U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
U.S. Supreme Court  
United Nations



## **Employers Flouting Tax Laws Owe \$45B, IRS Watchdog Says**

Nearly 1.5 million employers in the U.S. owed more than \$45 billion in employment taxes, interest and penalties as of December 2015, according to a Wednesday report from an Internal Revenue Service watchdog, which said the IRS should change how it pursues egregious employment tax cases.

### **IMMIGRATION**

## **Courts Should Be Safe For Immigrants: Wash. Chief Justice**

Washington State Supreme Court Chief Justice Mary Fairhurst on Wednesday proposed designating local courthouses as “sensitive areas” to rein in immigration enforcement activity on site, saying current enforcement efforts could make immigrants hesitant about seeking public services and protection.

### **NATIVE AMERICAN**

## **Navajo Again Sues DOI Over \$17M Judicial Branch Funding**

The Navajo Nation has accused the U.S. Department of the Interior in D.C. federal court of improperly rejecting most of a roughly \$17 million funding request for its judicial branch, the latest installment in a back-and-forth about how much money the tribe is entitled to for the branch’s operation.

### **TELECOMMUNICATIONS**

## **FCC Advances Plan Targeting Illegal Robocalls**

The Federal Communications Commission on Thursday agreed to float a proposal at an active meeting, which would allow certain carrier call-blocking to limit unlawful robocalls, with the FCC chief touting it after the meeting as part of his “fast start” as chairman.

## **T-Mobile Urges FCC Not To Delay Post-Auction Transition**

T-Mobile encouraged the Federal Communications Commission on Wednesday to refuse broadcaster requests to delay the transition of stations to new channels after the broadcast incentive auction, arguing that there is no justification for extending or delaying the process.

### **PEOPLE**

## **Former CFTC General Counsel Joins Skadden In DC**

The former general counsel for the U.S. Commodity Futures Trading Commission has joined Skadden Arps Slate Meagher & Flom LLP’s derivatives group in Washington, D.C., the firm announced on Thursday.

## **Arnold & Porter Snags Ex-Obama Enviro Official**

Arnold & Porter Kaye Scholer LLP has added to its Washington, D.C., office a top Obama appointee recently departed from the U.S. Environmental Protection Agency.

### **EXPERT ANALYSIS**

## **Delays And Uncertainty Surround Trump's Latest Travel Ban**

As the constitutionality of President Donald Trump's latest immigration-related executive order is pending, the administration is cracking down on immigration benefits more generally, and employers may want to exercise extreme caution before having nationals of the EO's six designated countries travel internationally, say Maria Fernanda Gandarez and Matthew Kolodziej of Ogletree Deakins Nash Smoak & Stewart PC.



## Reducing Administrative Burden Under New 'Common Rule'

The U.S. Department of Health and Human Services' recent revisions to the "Common Rule" aim to reduce administrative and regulatory burden on the informed consent process. However, the revised rule will simply add to or shift such burden to other individuals and entities, say Lisa Rooney and Scott Lipkin of FTI Consulting.

## Construction Projects Require Special Contracts In Nevada

Standard form construction contracts and custom contracts developed for use in other states do not comply with Nevada law. When beginning a construction project in Nevada, those contracts must be modified to account for the state's unique construction statutes, says Paul Georgeson of McDonald Carano LLP.

## 10 Tips For Better Legal Negotiations

Like everything else, the art of negotiation starts by having a conversation. It's about being respectful, finding common ground, knowing what you want and, most importantly, listening. A conversation between two lawyers can be complicated at best, but by employing a few techniques and tactics, it doesn't have to be that way, says Marc Siegel of Siegel & Dolan Ltd.

## LEGAL INDUSTRY

### Law Firms' Flex Work Options Little Used, Study Says

Lawyers are still reluctant to take advantage of telecommuting, reduced hours arrangements and other flexible work options despite the presence of formal policies at their law firms, according to a new study released Wednesday.

### Chadbourn Pressed Women Attys To Pan Bias Suit, Vet Says

Facing a \$100 million proposed class action accusing the firm of systematic discrimination against women lawyers, Chadbourne & Parke LLP's D.C. office head pressured other female partners to sign a letter disavowing the allegations, one of the women lawyers suing the firm said in a Thursday filing.

### Law360's Weekly Verdict: Legal Lions & Lambs

Goodwin Procter LLP reigned supreme on the legal lions list this week, securing the U.S. Supreme Court's favor for the country's largest cheerleading uniform supplier in a copyright infringement suit, while Amster Rothstein & Ebenstein LLP was among the week's legal lambs over another high court decision in which the justices axed its client's laches defense in a patent infringement suit over adult diapers.

### Dewey Finance Staffer Says She Cooked The Books

A former Dewey & LeBoeuf LLP finance department staffer told a Manhattan jury Thursday she improperly reversed accounting entries on the law firm's books and lied to partners and others who questioned the suspect treatments.

### Pro Bono Institute CEO Talks In-House Work For Public Good

In-house pro bono programs can boost morale and build stronger teams, but corporate legal departments need to address a few unique issues before launching one, according to Eve Runyon, president and CEO of the Pro Bono Institute.

### Longtime Illinois Federal Judge John Darrah Dies At 78

U.S. District Judge John Darrah, who spent about 30 years on the bench in state and federal courts and earned a reputation as a fair and dedicated public servant, passed away on Thursday at age 78.

## **JOBS**

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Earthjustice  
Fish & Richardson  
Foley Hoag  
Gibson Dunn  
Goldberg Kohn  
Goldstein & Russell  
Goodwin  
Gordon & Rees  
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Rogers Joseph  
Sanford Heisler  
Schlam Stone  
Seward & Kissel  
Sidley Austin  
Siprut PC  
Squire Patton Boggs  
Steptoe & Johnson LLP

Sullivan & Cromwell  
Thompson & Knight  
Traub Lieberman  
Vorys Sater  
Wasserman Jurista  
Wiley Rein  
WilmerHale  
Zeldes Haeggquist

## COMPANIES

Communications Workers of America  
AAR Corporation  
Airbnb Inc.  
Alibaba Group Holdings Ltd.  
Amazon.com Inc.  
American Bar Association  
American Civil Liberties Union  
American Farm Bureau Federation  
American Federation of Labor and Congress of Industrial Organizations  
Association of American Railroads  
Association of Corporate Counsel  
BP p.l.c.  
Barclays PLC  
Barnes & Noble Inc.  
Bayer AG  
Bayer CropScience Ltd.  
Bristol-Myers Squibb Company  
Center for American Progress  
Chevron Corporation  
Deutsche Bank AG  
Dow Chemical Co.  
FTI Consulting Inc.  
Facebook  
FilmOn PLC  
Goldman Sachs Group Inc.  
Google Inc.  
Herbalife Ltd.  
Human Rights Campaign  
JPMorgan Chase & Co.  
Laborers' International Union of North America  
Lockheed Martin  
Los Angeles Times  
Monsanto Company  
National Association of Broadcasters  
National Association of Manufacturers  
National Employment Law Project  
National Health Law Program  
National Immigration Law Center  
Natural Resources Defense Council  
Northrop Grumman Corporation  
Orange County Transportation Authority

Svenska Cellulosa AB  
T-Mobile USA Inc.  
Tenaris S.A.  
Trump Organization Inc.  
United States Steel Corporation  
United Steelworkers  
Varsity Brands Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
U.S. Environmental Protection Agency  
Congressional Budget Office  
Executive Office of the President  
U.S. Senate  
Federal Communications Commission  
Internal Revenue Service  
U.S. House of Representatives  
Federal Trade Commission  
National Labor Relations Board  
Navajo Nation  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. General Services Administration  
Army Corps of Engineers  
Bureau of Labor Statistics  
Bureau of Land Management  
Commodity Futures Trading Commission  
Defense Contract Management Agency  
Department of Commerce  
Equal Employment Opportunity Commission  
European Commission  
Federal Acquisition Regulatory Council  
Federal Railroad Administration  
Government Accountability Office  
Illinois Supreme Court  
International Trade Administration  
International Trade Commission  
Los Angeles County District Attorney's Office  
NATO  
National Railroad Passenger Corporation  
New York Attorney General's Office  
Occupational Safety and Health Administration  
Securities and Exchange Commission  
Small Business Administration  
Surface Transportation Board  
U.S. Air Force  
U.S. Army  
U.S. Department of Defense  
U.S. Department of State

U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Immigration and Customs Enforcement  
United Nations

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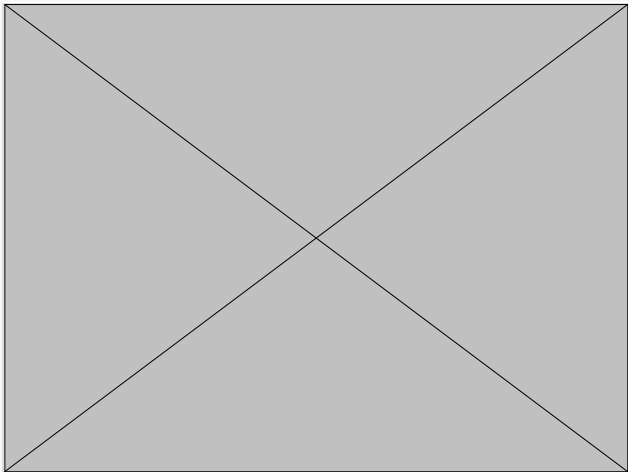
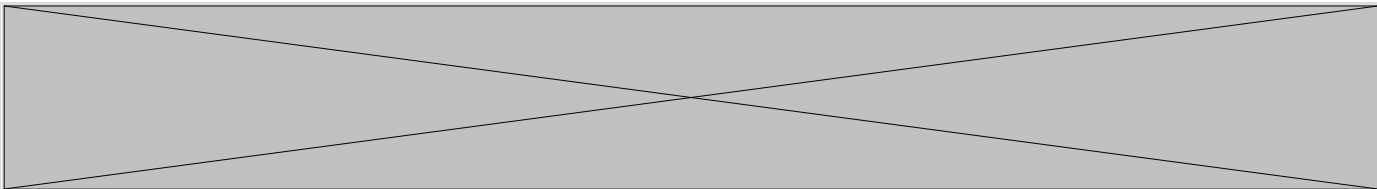
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**Sent:** Thur 4/20/2017 9:18:58 PM  
**Subject:** [Marketing Mail] Video: A future of smart ships, cyber threats; Virgin Voyages ships to have Smart Air compressors

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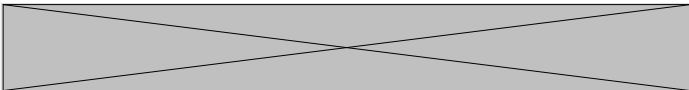


**VIDEO: ABS CTO shares a future of smart ships, cyber threats**

**April 20, 2017** —"I can envision a future scenario where a command center evaluates and issues drones for repair of an unmanned vessel—with no human intervention on board," says ABS Chief Technology Officer Howard Fireman.


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**Global Marine Regulations & the Future of Renewable Lubricant Technologies**  
[Download](#) the white paper from RSC Bio Solutions to learn how EALs can help meet your business needs.



**Rolls-Royce to provide mooring system for Njord A upgrade**

The upgrade is part of Statoil's "Njord Future" project, intended to prolong the lifespan of the Njord field.

## Virgin Voyages ships to have Smart Air compressors

TMC's Smart Air compressors offer 50 percent energy saving compared to conventional compressors.

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## Bollinger Shipyards delivers twenty third FRC

The vessel's commissioning is scheduled for July 4, 2017 in Pascagoula, MS.

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## Frontline foiled in bid to block DHT deal with BW Group

New York State Supreme Court Judge Barry R. Ostrager ruled against Frontline Ltd.

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## Denmark shows shipowners how to avoid PSC problems

The Danish Maritime Authority will hold three meetings on Port State Control (PSC) inspections this year.

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## Algoma Central in short-sea bulk JV with Nova

The JV will help capitalize on prospects to develop mini bulker business within the Canadian market.

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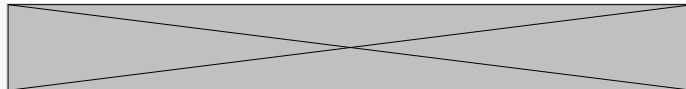
## Princess pollution case whistleblower collects \$1 million

The British engineer first reported the illegal discharges to the British Maritime and Coastguard Agency, which in turn provided the evidence to the U.S. Coast Guard.

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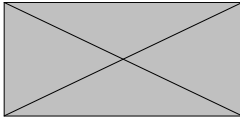


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**Sent:** Thur 9/15/2016 7:36:34 AM  
**Subject:** [Marketing Mail] GOP Sen. Blocks Vote On Claims Court Judge Picks



**PUBLIC POLICY**

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**Thursday, September 15, 2016**

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## **TOP NEWS**

### **GOP Sen. Blocks Vote On Claims Court Judge Picks**

Sen. Tom Cotton continued his blocking of appointments to the Court of Federal Claims on Tuesday, arguing that the court's caseload is too low to justify filling pending vacancies.

### **House Votes To Pass Agency-Curtailing Measure**

Over Democratic members' complaints, the House voted through a measure Wednesday that backers claimed would bring to heel overzealous' agencies lobbying behind the scenes for burdensome rules they never consider the true cost of.

### **EB-5 Markup Put Off Amid Uncertainty Over Program's Fate**

The markup of the EB-5 Regional Center Program reform bill introduced on Monday by House Judiciary Committee Chairman Bob Goodlatte, R-Va., which had been set for today, was abruptly canceled Tuesday night and will be postponed for a later date, according to a committee press release.

### **EEOC Backs NLRB's Joint-Employer Rule At DC Circ.**

The Equal Employment Opportunity Commission voiced its support Wednesday for the loosened definition of a joint employer adopted by the National Labor Relations Board last year, telling the D.C. Circuit the new standard is in line with its own, time-tested approach.

### **Water Infrastructure Bill Set For Senate Vote**

The Senate's efforts to kick-start more than \$9.4 billion in water infrastructure work on aid for communities like Flint, Michigan, with contaminated water cleared the last stumbling block Wednesday and is heading for a final vote as soon as Thursday.

### **Cruz Sounds Alarm On Internet Transition As Some Cry Foul**

Sen. Ted Cruz blasted the intended privatization of the internet's domain name system at a Senate hearing Wednesday, warning that it will boost repressive regimes and diminish First Amendment protections, while opponents said his rhetoric does not match the facts of a technical handoff.

### **Pa. Justices Urged To Ax Frivolous Suit Claims Against Attys**

Pennsylvania's highest court was urged in a brief on Monday to affirm a decision finding that the state's so-called Dragonetti Act, which allows attorneys to be held liable for pursuing frivolous litigation, unconstitutionally infringed on the judiciary's sole authority to regulate and police itself.

## **ANALYSIS**

### **The AIA At 5: How Less-Known Aspects Have Shaped Patents**

When the America Invents Act became law five years ago, rules regarding patent

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Gibson Dunn  
Hangley Aronchick  
Jones Day  
K&L Gates  
Kane Pugh  
Keker & Van Nest  
King & Wood Mallesons  
Kirkland & Ellis  
Kline & Specter  
Lamb McErlane  
Latham & Watkins  
Marshall Gerstein  
Mayer Brown  
Morgan Lewis  
Munger Tolles  
Native American Rights Fund  
Orrick Herrington  
Paul Hastings  
Phillips & Cohen LLP  
PiliroMazza PLLC  
Quinn Emanuel  
Schnader Harrison

CLV000968

applications and validity challenges grabbed headlines, but smaller provisions in the 58-page law have also influenced patent law. Here's a look at how some under-the-radar aspects of the AIA have played out.

### Alternative TTIP Approaches Come With Drawbacks

A slimmed-down version of the Transatlantic Trade and Investment Partnership — perhaps leaving out thorny intellectual property and arbitration issues — could prevent the deal from foundering but raises questions about the viability of the deal as a model for global trade accords.

### 3 Highlights As ACA Wars Resume On Capitol Hill

Affordable Care Act brawling resumed Wednesday on Capitol Hill as Republicans questioned multibillion-dollar settlements with insurers, Democrats ridiculed a watchdog's warnings about ACA fraud and one lawmaker dramatically botched an anti-ACA attack. Here are three highlights from congressional hearings.

### 3 Big EU Copyright Proposals You Need To Know

The European Union's executive body proposed sweeping changes Wednesday to modernize the bloc's copyright rules for the internet. As the new proposals move forward, here are three of them to keep an eye on.

## BANKING & SECURITIES

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### Calif. To Require Pension Funds To Reveal Private Equity Fees

California Gov. Jerry Brown on Wednesday signed into law a proposal to require public pension funds to disclose fees paid to private equity investment firms, aiming to increase transparency over how much of the funds' money are paid out fund managers.

### SEC Chief Flags Challenges In Algorithmic Trading Regs

Fundamental changes to the equity markets based on automated trading will require greater efforts by regulators to oversee algorithmic traders and to update rules on alternative trading systems, U.S. Securities and Exchange Commission Chair Mary Jo White said Wednesday.

### New Small Biz Group To Fight Leverage Restrictions On BDCs

A new lobbying group has formed to advocate for expanding small business access to capital, focusing initial efforts on opposing a U.S. Securities and Exchange Commission rule proposal it argues will limit how much capital small firms can access through business development companies.

### SEC Welcomes Whistleblower Attys, Enforcement Chief Says

U.S. Securities and Exchange Commission Enforcement Director Andrew Ceresney said the agency appreciates the help of the growing number of whistleblower attorneys as it seeks to expand its whistleblower program while also outlining hot tips for would-be tipsters in a speech Wednesday.

## ENERGY & ENVIRONMENTAL

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### House Committee Gets Legal Support For AG Subpoenas

House Science Committee Republicans on Wednesday received support from legal experts for subpoenas they issued to state attorneys general and environmental groups seeking information about whether those parties collaborated on climate change investigations targeting industry players like Exxon Mobil Corp.

### Regulators Approve Calif. Desert Clean Energy Plan Revamps

Federal and state regulators on Wednesday approved revisions of a sprawling renewable energy and conservation plan for the California desert to prioritize development on federal lands, but the new plan was quickly panned by clean energy industry groups and environmentalists.

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CSX Corporation  
California State Teachers Employees' Retirement System  
Center for Biological Diversity Inc.  
CenturyLink Inc.  
Citigroup Inc.  
Competitive Carriers Association  
Computer & Communications Industry Association  
Cray Inc  
Exodus Refugee Immigration Inc.  
Exxon Mobil Corporation  
Facebook  
Financial Industry Regulatory Authority Inc.

## **EPA Defends 2008 Ozone Implementation Rule To DC Circ.**

The U.S. Environmental Protection Agency on Wednesday urged the D.C. Circuit to reject a slew of challenges to the agency's rule implementing 2008 ozone standards, including whether the regulator properly revoked 1997 standards.

## **US To Lead Global Alliance To Fight Shady Fishing Subsidies**

The U.S., along with 12 World Trade Organization members, on Wednesday launched an initiative to combat fishing subsidies that contribute to overfishing, overcapacity or are linked to illegal fishing, in a bid to help ensure the sustainability of fisheries around the world.

## **HEALTH & LIFE SCIENCES**

### **UN Report On Public Health Access Blasted By Biz Groups**

A long-awaited United Nations report suggesting government-led initiatives to bridge the gap between health care innovation and public access released on Wednesday was immediately blasted by groups like the U.S. Chamber of Commerce and other medical and business associations that claimed it discounted the role of intellectual property, among other criticisms.

### **FDA Panels To Mull Opioid Painkillers In Children**

The U.S. Food and Drug Administration will ask several panels Thursday to weigh in on the use of opioid painkillers for children, seeking advice on how to manage the risks.

## **TRANSPORTATION & INFRASTRUCTURE**

### **Mass. Takes Sick Time Law Fight With Railroads To 1st Circ.**

The Massachusetts attorney general on Wednesday appealed to the First Circuit a recent federal court ruling that the commonwealth cannot enforce its new paid sick leave law against railroads because they're already required to provide their employees sick leave benefits under federal law.

### **Calif. Slams Rail Injunction Bid In Hazmat Transpo Fee Suit**

California tax regulators blasted a bid by BNSF Railway Co. and Union Pacific Railroad Co. to block a new law charging a fee on rail cars transporting hazardous materials such as crude oil and chemicals, arguing there's no federal preemption and the railroads haven't suffered losses to justify an injunction.

### **NJ Bridge Scandal Trial Set To Open After Jurors Selected**

Prosecutors and defense counsel on Wednesday finished selecting a panel of 16 jurors to serve on the trial of two former public officials charged in the George Washington Bridge lane-closing scandal, picking them out of hundreds of people considered for the high-profile case.

### **Autonomous Vehicle Laws May Be Restrictive, Google Says**

The CEO of Google Inc.'s autonomous vehicle program on Tuesday expressed his concern with newly passed legislation in Michigan seeking to open the state to wider use of the technology, saying it may restrict companies without previously established automotive businesses from taking advantage of the programs.

## **GOVERNMENT CONTRACTS**

### **US Signs \$38B Military Aid Package Deal With Israel**

The United States has reportedly committed \$38 billion in security assistance to Israel in an agreement signed Wednesday, which the U.S. Department of State has called "the single largest pledge of bilateral military assistance in U.S. history."

Ford Motor Company  
Genzyme Corporation  
Goodyear Tire & Rubber Co.  
Google Inc.  
Helsinn Healthcare SA  
Highmark Inc.  
Hobby Lobby Stores  
Hulu LLC  
International Brotherhood of Electrical Workers  
International Brotherhood of Teamsters  
Internet Corporation for Assigned Names and Numbers  
LinkedIn Corp.  
Loan Syndications & Trading Association  
McGraw Hill Financial Inc.  
Monsanto Company  
Morgan Stanley  
National Association of Manufacturers  
National Conference of State Legislatures  
National Railroad Passenger Corporation  
Netflix Inc.  
New York University  
Pew Charitable Trusts  
PhRMA  
Purdue Pharma LP  
Republic Services, Inc.  
Ritz-Carlton Company LLC  
Salesforce.com Inc.  
Sierra Club  
THL Credit Inc  
Teva Pharmaceutical Industries Limited  
Texas Medical Association  
The Cato Corporation  
The Federation of State Medical Boards Inc.  
The Walt Disney Company  
TiVo Inc.  
Time Warner Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Union Pacific Corporation  
Union of Concerned Scientists  
Verizon Communications  
Viacom Inc.  
Zeughauser Group LLC  
Zillow Inc.

## Poor Oversight Blamed For Rampant Afghanistan Corruption

The nearly \$115 billion the U.S. spent on Afghanistan reconstruction has involved flawed oversight and contracting practices, contributing to the rampant growth of corruption in the nation and undermining reconstruction efforts, according to a watchdog report released Wednesday.

## INTERNATIONAL TRADE

### Obama Restores Myanmar's Trade Benefits After 27-Year Ban

President Barack Obama said Wednesday he would lift a 27-year-old trade benefits ban on Myanmar, giving the Southeast Asian nation duty-free treatment for exports of more than 5,000 products to the U.S., the latest step in an ongoing effort to scale back sanctions against the country.

### Feds Say 5th Circ. Can't Hear Texas Medical Board's Appeal

The federal government on Wednesday sided with a telehealth company before the Fifth Circuit, saying that the appellate court doesn't have jurisdiction over the Texas Medical Board's appeal of its failed bid to dismiss the company's antitrust suit.

## TAX

### Israeli Court Rejects Challenge Of US Tax Data-Sharing Pact

An Israeli Supreme Court panel has thrown out a challenge to a tax information-sharing agreement with the U.S. and removed a temporary block on the pact's implementation, rejecting arguments that the agreement violates the rights of Israelis.

### Philly Soft Drink Tax Targeted In Beverage Groups' Suit

The American Beverage Association and a group of retailers, distributors and consumers who oppose Philadelphia's recently passed tax on sweetened drinks hit the city with a state court lawsuit Wednesday, accusing it of duplicating a tax imposed by the state that will diminish the purchasing power of local residents.

### Calif. Gov. Vetoes Tampon Tax Bill, Citing Budget Concerns

California will not become the fourth state this year to eliminate sales tax on tampons and other menstrual products after the measure ended up on the chopping block on Wednesday as part of a series of bills that Democratic Gov. Jerry Brown vetoed for creating or expanding existing tax breaks.

## IMMIGRATION

### Keep H-2B Returner Apps Coming Despite Uncertainty: USCIS

U.S. Citizenship and Immigration Services on Tuesday urged businesses that employ H-2B workers to continue identifying foreigners they expect to hire again next year despite uncertainty over whether provisions exempting such returning workers from the annual cap will be extended into 2017.

### Posner Reams Ind. Atty Over Syrian Refugee Policy

A Seventh Circuit panel indicated Wednesday it will likely uphold a lower court's decision halting an Indiana policy aimed at keeping Syrian refugees out of the state, with Judge Richard Posner pointedly saying Gov. Mike Pence's attorney was "so out of it" when trying to explain how his directive could possibly be legal.

## NATIVE AMERICAN

### Tribe Wants Sanctions Over Destroyed Notes In Casino Fight

The Tohono O'odham Nation urged an Arizona federal judge Wednesday to issue

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Land Management  
California Energy Commission  
California Public Employees' Retirement System  
California State Board of Equalization  
Centers for Medicare & Medicaid Services  
Commodity Futures Trading Commission  
Congressional Budget Office  
Congressional Research Service  
Consumer Financial Protection Bureau  
Department of Commerce  
Equal Employment Opportunity Commission  
European Commission  
Executive Office of the President  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Election Commission  
Federal Emergency Management Agency  
Federal Financial Institutions Examination Council  
Federal Trade Commission  
Food and Drug Administration  
Gila River Indian Community  
Government Accountability Office  
Internal Revenue Service  
International Trade Commission  
Municipal Securities Rulemaking Board  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
National Labor Relations Board  
New York State Department of Financial Services  
Office of Foreign Assets Control  
Office of the Comptroller of the Currency  
Office of the U.S. Trade Representative



sanctions in a suit against the head of Arizona's gambling department over the tribe's right to offer Las Vegas-style gaming near Phoenix, alleging a state legal official destroyed notes from meetings with rival gaming tribes about how to stop the nation's plans.

## TELECOMMUNICATIONS

### FCC's Pai Launches Call For Incentives To Expand Broadband

The federal government must offer incentives to spur private-sector broadband development in rural areas, and the Federal Communications Commission must remove regulatory barriers to help streamline broadband deployment, commissioner Ajit Pai said on Tuesday.

### Amazon Opposes FCC Licensing Involvement In Set-Top Plan

Amazon.com Inc. has joined Disney, CBS and others opposed to the Federal Communications Commission's plan to unlock competition in the set-top box market that includes agency involvement in the licensing process, according to a letter made public Tuesday.

### NYC Weighing Legal Action Against Verizon Over FiOS Deal

New York City officials on Tuesday informed Verizon New York Inc. they may face legal action for the company's alleged default on an agreement to deliver FiOS cable TV connections to every home in the city and improperly reducing a \$50 million performance bond to \$15 million.

### CenturyLink Cautions FCC On ISP Privacy And Breach Rules

Internet service provider CenturyLink Corp. pushed back on the Federal Communications Commission's proposed data privacy and breach notification rules, arguing that the agency's approach will hurt consumer choice and potentially lead to duplicative, confusing regulatory requirements.

### Rival Companies Urge FCC Action In Special Access Market

Data collected by the Federal Communications Commission "overwhelmingly shows" that the market for business data services is broken, several groups representing competing companies told the agency Tuesday, urging FCC action to reform it and reduce prices.

## PEOPLE

### Shearman Partner To Lead NY AG's Antitrust Bureau

The co-head of Shearman & Sterling LLP's global antitrust group will join the New York attorney general's office to lead its antitrust bureau, Attorney General Eric T. Schneiderman announced Wednesday.

## EXPERT ANALYSIS

### Why Political Law Matters During M&A

Those involved in corporate M&A often overlook political law compliance issues until after the transaction is complete. This can leave the acquiring company with unexpected post-merger problems to solve, says Robert Lenhard, partner at Covington & Burling LLP and former chairman of the Federal Election Commission.

### The Post-AIA Battleground For Patent Challenges

The implementation of the America Invents Act, which began on Sept. 16, 2012, ushered in a new age for patent law. The impact of the AIA has reverberated across all technological sectors and fundamentally changed the way the patent community approaches prosecution, licensing, enforcement and monetization, say attorneys with Sterne Kessler Goldstein & Fox PLLC.

Omaha Tribe of Nebraska  
Port Authority of New York & New Jersey  
Salt River Pima-Maricopa Indian Community  
Securities and Exchange Commission  
Special Inspector General for Afghanistan Reconstruction  
Texas Attorney General's Office  
Tohono O'odham Nation  
U.S. Army  
U.S. Attorney's Office  
U.S. Census Bureau  
U.S. Civilian Board of Contract Appeals  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of State  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
U.S. Supreme Court  
United Nations  
World Health Organization  
World Intellectual Property Organization

## **A Clean Air Act Nightmare For Yuma County, Ariz.**

In response to certain air quality challenges Yuma County, Arizona, currently faces, the U.S. Environmental Protection Agency has repeatedly suggested the concerns be addressed through various relief mechanisms established in the Clean Air Act. Unfortunately, it is unlikely any of these options will be of use to Yuma County while it's at risk of being designated a nonattainment area for ozone, say attorneys at Snell & Wilmer LLP.

## **Reducing Settlement Delays In Loan Trading Market**

In a long-awaited development, the delayed-compensation standard for late settlement of loans trading at or near par recently changed in important ways. By incentivizing market participants to speed up settlement of loan assignments, the Loan Syndications & Trading Association's new standard should alleviate some of the factors that have contributed to blockages, say attorneys with K&L Gates LLP.

## **FTC Makes Clear That NIST Cyber Framework Is Not A Cure-All**

If you comply with the National Institute of Standards and Technology's cybersecurity framework, are you complying with what the Federal Trade Commission requires? The FTC recently published a blog post with a nuanced answer to this oft-asked question. The short answer: "No," say attorneys with Orrick Herrington & Sutcliffe LLP.

## **Category Management: What Contractors Need To Know**

In less than two years, the Office of Management and Budget's Category Management initiative has begun to reshape aspects of federal procurement, says Michelle Litteken of PilieroMazza PLLC.

## **LEGAL INDUSTRY**

### **BigLaw Flounders Amid Fierce Competition In China**

Despite the success stories of a select few firms, non-Chinese BigLaw players have largely failed to find a profitable foothold in China over the past several years as they fight for work in a flooded market, experts on the ground say.

### **Ginsburg Says Legal Industry Lagging In Work-Life Balance**

Associate Supreme Court Justice Ruth Bader Ginsburg on Wednesday lamented the slow pace at which the legal industry has adopted technology to allow for better work-life balance, urging firm attorneys and in-house counsel to band together to demand more flexibility for raising children and other personal issues.

### **Ex-Simpson Thacher Clerk Gets Prison For Insider Trading**

A New Jersey federal judge on Wednesday handed a 46-month prison sentence to Simpson Thacher & Bartlett LLP's former managing clerk for his role in an insider trader scheme that netted \$5.6 million for himself and two co-conspirators.

### **Susman Godfrey Moves To Start Clerkship Bonuses At \$80K**

Susman Godfrey LLP announced Tuesday that it is upping bonuses handed out to incoming attorneys with federal judicial clerkship experience, with attorneys who have completed one clerkship receiving \$80,000 and those who have completed more than one receiving up to \$100,000 upon joining the firm.

### **Obama Nominates Bharara Deputy To NY's Eastern District**

President Barack Obama on Tuesday tapped Manhattan U.S. Attorney Preet Bharara's criminal division deputy chief, a former Davis Polk & Wardwell LLP attorney with experience handling criminal matters throughout the state, to serve as a judge in New York's Eastern District.

### **Calif. High Court To Hear Heller Ehrman Clawback Query**

The California Supreme Court announced Wednesday it will decide whether a dissolved law firm can claw back profits earned on unfinished business by former partners at new firms, a case stemming from litigation launched by a trustee for bankrupt law firm Heller Ehrman LLP.

## **Firm Culture Motivates London Lateral Hires, Study Finds**

Law partners moving laterally in London selected new opportunities based on a firm's culture above all other motivating factors, including compensation and leadership opportunities, a new survey released on Wednesday by legal search firm Major Lindsey & Africa said.

## **UK Firms Favor Atty Teams, Tech Investments Over Mergers**

Firms in the U.K. are increasingly wary of using potentially risky mergers to increase business and service capability and instead are looking to poach full practice teams and to invest more in technology, according to a new survey from Fox Williams LLP and Byfield Consultancy.

## **Pro Bono Firm Of 2016: Bancroft**

Bringing its top-tier appellate advocacy to a wide range of gratis work, headlined by U.S. Supreme Court cases such as a prominent dispute over the so-called contraceptive mandate, has earned Bancroft PLLC a spot as one of Law360's Pro Bono Firms of 2016.

## **Rainmaker Q&A: Dechert's Laura Swihart**

Over time assignments can become more and more significant as clients become more accustomed to seeing you in various other roles relating to their transactions. I have learned that rain often starts with sprinkles, says Laura Swihart, a partner with Dechert LLP.

## **Rainmaker Q&A: Chamberlain Hrdlicka's Scot Kirkpatrick**

The main focus of a new lawyer should be to become an expert in their chosen area of the law. If you don't know your area, you are not going to be successful no matter how smooth you can talk, says Scot Kirkpatrick, shareholder at Chamberlain Hrdlicka White Williams & Aughtry.

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Keker & Van Nest  
King & Wood Mallesons  
Kirkland & Ellis  
Kline & Specter  
Lamb McErlane  
Latham & Watkins  
Marshall Gerstein  
Mayer Brown  
Munger Tolles  
Native American Rights Fund  
Paul Hastings  
Phillips & Cohen LLP  
PilieroMazza PLLC  
Quinn Emanuel  
Schnader Harrison  
Segal Roitman  
Seyfarth Shaw  
Shearman & Sterling  
Sidley Austin  
Slover & Loftus  
Snell & Wilmer  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Sterne Kessler  
Susman Godfrey  
Valle Makoff  
Wheeler Trigg  
White and Williams  
WilmerHale

#### COMPANIES

Google Inc.  
Financial Industry Regulatory Authority Inc.  
Amazon.com Inc.  
American Civil Liberties Union  
CenturyLink Inc.  
Facebook  
Verizon Communications  
AT&T Inc.  
Aetna Inc.  
America Fujikura Ltd.  
American Bar Association  
American Beverage Association  
American Federation of Labor and Congress of Industrial Organizations  
American Medical Association Inc.  
Ares Capital Corp.  
Association of Corporate Counsel  
BNSF Railway



BTI Consulting Group Inc.  
Blue Cross and Blue Shield Association  
BlueCross BlueShield of North Carolina  
Bridgestone Corp.  
CBS Corporation  
CSX Corporation  
California State Teachers Employees' Retirement System  
Center for Biological Diversity Inc.  
Citigroup Inc.  
Competitive Carriers Association  
Computer & Communications Industry Association  
Cray Inc  
Exodus Refugee Immigration Inc.  
Exxon Mobil Corporation  
Ford Motor Company  
Genzyme Corporation  
Goodyear Tire & Rubber Co.  
Helsinn Healthcare SA  
Highmark Inc.  
Hobby Lobby Stores  
Hulu LLC  
International Brotherhood of Electrical Workers  
International Brotherhood of Teamsters  
Internet Corporation for Assigned Names and Numbers  
LinkedIn Corp.  
Loan Syndications & Trading Association  
McGraw Hill Financial Inc.  
Monsanto Company  
Morgan Stanley  
National Association of Manufacturers  
National Conference of State Legislatures  
National Railroad Passenger Corporation  
Netflix Inc.  
New York University  
Pew Charitable Trusts  
PhRMA  
Purdue Pharma LP  
Republic Services, Inc.  
Ritz-Carlton Company LLC  
Salesforce.com Inc.  
Sierra Club  
THL Credit Inc  
Teva Pharmaceutical Industries Limited  
Texas Medical Association  
The Cato Corporation  
The Federation of State Medical Boards Inc.  
The Walt Disney Company  
TiVo Inc.  
Time Warner Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Union Pacific Corporation

Union of Concerned Scientists  
Viacom Inc.  
Zeughauser Group LLC  
Zillow Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Securities and Exchange Commission  
Federal Communications Commission  
Federal Trade Commission  
United Nations  
Executive Office of the President  
Office of the U.S. Trade Representative  
U.S. Army  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Land Management  
California Energy Commission  
California Public Employees' Retirement System  
California State Board of Equalization  
Centers for Medicare & Medicaid Services  
Commodity Futures Trading Commission  
Congressional Budget Office  
Congressional Research Service  
Consumer Financial Protection Bureau  
Department of Commerce  
Equal Employment Opportunity Commission  
European Commission  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Election Commission  
Federal Emergency Management Agency  
Federal Financial Institutions Examination Council  
Food and Drug Administration  
Gila River Indian Community  
Government Accountability Office  
Internal Revenue Service  
International Trade Commission  
Municipal Securities Rulemaking Board  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
National Labor Relations Board  
New York State Department of Financial Services  
Office of Foreign Assets Control  
Office of the Comptroller of the Currency

Omaha Tribe of Nebraska  
Port Authority of New York & New Jersey  
Salt River Pima-Maricopa Indian Community  
Special Inspector General for Afghanistan Reconstruction  
Texas Attorney General's Office  
Tohono O'odham Nation  
U.S. Attorney's Office  
U.S. Census Bureau  
U.S. Civilian Board of Contract Appeals  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Homeland Security  
U.S. Department of State  
U.S. Department of the Interior  
U.S. General Services Administration  
World Health Organization  
World Intellectual Property Organization

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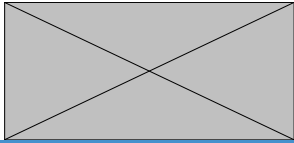
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 11/16/2017 8:51:05 AM  
**Subject:** Federal Watchdogs Ask Congress For Subpoena Power



**PUBLIC POLICY.**

## Efficient Practical Guidance Know-How

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Thursday, November 16, 2017

### TOP NEWS

#### **Federal Watchdogs Ask Congress For Subpoena Power**

Executive agency watchdogs on Wednesday urged Congress to enact legislation that would give them authority to demand testimony for investigations into waste, fraud and abuse, arguing that their inability to compel testimony from former agency employees poses a barrier to their oversight duties. [Read more »](#)

##### **Analysis**

#### **Cordray Leaves Mixed Legacy As He Departs CFPB**

Richard Cordray's coming departure from the Consumer Financial Protection Bureau by the end of the month closes a chapter that saw the outgoing director build a powerful regulator from scratch even as he courted controversy and enmity from Republican lawmakers and the industries he oversaw. [Read more »](#)

#### **ABA Judicial Ratings Remain In GOP Senators' Crosshairs**

Senate Republicans criticized the chair of the American Bar Association's judicial rating committee Wednesday, as the body's evaluation of several of President Donald Trump's nominees as "not qualified" added fuel to partisan struggles over filling vacancies on the federal bench. [Read more »](#)

##### **Analysis**

#### **Tax Bill's Critics May Be Drowned Out By Frenzied Momentum**

The Republicans' rapid-fire changes to their own tax proposals combined with their need for a legislative win is raising concerns that tax cuts largely benefiting corporations may be irresponsibly ushered in, despite analyses showing minimal sustained economic growth and an exploding national debt. [Read more »](#)

#### **Monsanto, Ag Groups Sue Calif. Over Glyphosate Listing**

Monsanto Co. and several agricultural industry groups on Wednesday sued California's chemical watchdog over its decision this year to list the herbicide glyphosate — a key ingredient in Monsanto's Roundup weed killer — as a substance that is known to cause cancer. [Read more »](#)

### BANKING & SECURITIES

##### **Analysis**

#### **SEC's Clayton Tightens Leash On Further Audit Trail Delays**

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#### **LAW FIRMS**

Alston & Bird  
Arnold & Porter Kaye Scholer  
Baker Donelson  
Ballard Spahr  
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Bradley Arant  
Buckley Sandler  
Butler Rubin  
Butler Snow LLP  
Cadwalader Wickersham  
Casellas Alcover  
Clarke Silverglate  
Dechert  
Dentons  
Earthjustice  
Fenwick & West  
Ferraiuoli LLC  
Gibson Dunn  
Greenberg Traurig  
Greensfelder Hemker  
Hogan Lovells  
Husch Blackwell  
Jenner & Block  
Jones Day  
Kahn Soares  
Kirkland & Ellis  
Kopelowitz Ostrow  
Kramer Levin

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The chairman of the U.S. Securities and Exchange Commission this week showed he's not afraid of crossing powerful interests on Wall Street when he denied a last-minute plea by the nation's stock exchange operators to yet again delay the launch of the consolidated audit trail. [Read more »](#)

### Senate Moves Comptroller Nominee Closer To Confirmation

Joseph Otting, President Donald Trump's choice to serve as comptroller of the currency, cleared a key hurdle Wednesday when the U.S. Senate voted to end debate on his nomination. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### EPA Unveils Some Ozone Info After Enviro Lawsuit Threat

The U.S. Environmental Protection Agency on Wednesday identified more than 2,000 counties in the U.S., as well as tribal lands, that meet ozone standards set in 2015, weeks after environmentalists threatened to sue the agency for blowing a statutory deadline to publish the list. [Read more »](#)

### Fla. Courts Won't Move Citrus Canker Suits To Tallahassee

Two Florida appeals courts on Wednesday denied the state's attempt to move suits by classes of Florida homeowners who had their residential citrus trees cut down — and have already won nearly \$30 million in judgments against the state — to Tallahassee from courts in Lee and Broward counties. [Read more »](#)

### Senate Confirms Ex-Coal Exec For Mine Safety Post

The U.S. Senate on Wednesday confirmed a former coal executive who was President Donald Trump's pick to serve as the nation's top mine safety regulator on a strict party-line vote. [Read more »](#)

## HEALTH & LIFE SCIENCES

### Bipartisan Bill Would Block 340B Drug Program Cuts

Bipartisan legislation unveiled Wednesday in the U.S. House of Representatives would block a \$1.6 billion cut to the 340B drug discount program, overriding a newly finalized policy change by the Centers for Medicare & Medicaid Services. [Read more »](#)

## MEDIA & ENTERTAINMENT

### SG Wins Bid To Defend Sports-Betting Ban At High Court

The solicitor general can represent the government in oral arguments at the U.S. Supreme Court over New Jersey's challenge to a federal sports betting ban, the high court ruled Monday, denying a similar request for a seat at the table by a Florida State University professor. [Read more »](#)

### Watchdog Orgs Blast Expected FCC Media Rule Rollback

The FCC's expected Thursday vote to roll back broadcast ownership prohibitions is the next step in a chain of decisions to clear the way for massive industry consolidation, media advocacy organizations warned Wednesday. [Read more »](#)

## EMPLOYMENT

### House Committee Presses Acosta On OT, Fiduciary Rules

Labor Secretary Alex Acosta's comments Wednesday at a U.S. House of Representatives workforce committee hearing on his agency's priorities were short on policy specifics, including only nuggets of information on key labor issues such as the agency's rules on overtime pay and retirement savings advice. [Read more »](#)

Latham & Watkins

Lytal Reiter

Manatt Phelps

Mayer Brown

McDermott Will

Milbank Tweed

Morgan Lewis

Nelson Mullins

Norton Rose Fulbright

O'Melveny & Myers

O'Neill & Borges

Paul Hastings

Paul Weiss

Procopio Cory

Proskauer Rose

Reed Smith

Robbins Russell

Roetzel & Andress

Ropes & Gray

Stroock & Stroock

Sullivan & Cromwell

Vorys Sater

Weil Gotshal

Weiss Serota

## COMPANIES

Alpha Natural Resources, Inc.

American Bar Association

American Hospital Association

Assured Guaranty Ltd.

Boehringer Ingelheim

CIT Group Inc.

CSP Inc.

Consumer Bankers Association

Consumer Federation of America

Dole Food Company Inc.

Dow Chemical Co.

Equifax Inc.

Ernst & Young

Financial Industry Regulatory  
Authority Inc.

Florida Panthers

Home Depot, Inc.

Integreon Managed Solutions Inc.

KPMG International

Major League Baseball Inc.

Microsoft Corporation

Monsanto Company

Moody's Corporation

NFL Enterprises LLC

National Basketball Association

National Collegiate Athletic

## DOL Solicitor Pick Queried On Arbitration, Harassment

Kirkland & Ellis partner Kate O'Scannlain said at a Senate hearing Wednesday to confirm her for the U.S. Department of Labor's top legal post that employer arbitration clauses "are problematic" when confronting workplace harassment, but she stopped short of supporting their elimination despite agreeing they can keep women unaware of serial harassers. [Read more »](#)

## COMPETITION

## DC Circ. Threads Needle On Docs Privilege In FTC Row

A D.C. Circuit panel pressed lawyers for the Federal Trade Commission and Boehringer Ingelheim on Wednesday to spell out the fine line between attorney-client privilege and unprivileged business materials as the FTC investigates a possible pay-for-delay deal. [Read more »](#)

## PRIVACY & CYBERSECURITY

## White House Releases Rules On Disclosing Security Flaws

The Trump Administration revealed details Wednesday on its secretive process for deciding whether to disclose or keep to itself cybersecurity flaws discovered by intelligence agencies. [Read more »](#)

## Senate Bill Would Set Federal Data Security, Reporting Rules

Senate Democrats on Tuesday floated legislation that would subject businesses to civil penalties for failing to report data breaches "as expediently as possible" and for neglecting to implement baseline data security standards to protect customers' financial account information and other sensitive records. [Read more »](#)

## CONSUMER PROTECTION

### Analysis

## Cordray's Departure Brings Back CFPB Leadership Questions

The surprise announcement that Consumer Financial Protection Bureau Director Richard Cordray will leave his post by the end of the month has clouded the future of the federal consumer finance watchdog and its leadership. [Read more »](#)

## CFPB Director Cordray To Resign After Turbulent Tenure

Consumer Financial Protection Bureau Director Richard Cordray on Wednesday told the bureau's staff that he intends to step down by the end of the month, ending speculation about whether President Donald Trump would fire the controversial official. [Read more »](#)

## Baker Donelson Review Flags More Past Conduct At Hospital

An independent review organization, led by a Baker Donelson Bearman Caldwell & Berkowitz PC shareholder and mandated by a \$70 million settlement between the federal government and the North Broward Hospital District over alleged patient referral kickbacks, has told Florida's chief inspector general it has uncovered more possible misconduct among the hospital group's previous leadership. [Read more »](#)

## GOVERNMENT CONTRACTS

## Treasury Issues Tax Check Procedure For IRS Contractors

The U.S. Department of Treasury announced Tuesday that it had set up a process for certain Internal Revenue Service officials to access the taxpayer return information of contract winners to determine if they have any tax liabilities that could render them ineligible for an award. [Read more »](#)

Association

National Consumer Law Center

National Corn Growers  
Association

National Hockey League

National Retail Federation Inc.

Northern Mariana Islands  
Retirement Fund

Northwestern Medicine

OneWest Bank Group LLC

Panasonic Corporation

Public Knowledge

Raytheon Company

SIFMA

Sierra Club

Sinclair Broadcast Group, Inc.

Sprint Nextel Corporation

St. Louis Cardinals

Target Corporation

The Gap Inc.

Tribune Media Co.

Twitter Inc.

U.S. Bancorp

U.S. Chamber of Commerce

Wal-Mart Stores Inc.

Wells Fargo & Co.

Yahoo! Inc.

## GOVERNMENT AGENCIES

California Environmental  
Protection Agency

Centers for Medicare & Medicaid  
Services

Congressional Budget Office

Consumer Financial Protection  
Bureau

Council of Inspectors General on  
Integrity and Efficiency

Defense Health Agency

Employee Benefits Security  
Administration

European Union

Executive Office of the President

Federal Communications  
Commission

Federal Trade Commission

Food and Drug Administration

Internal Revenue Service

Mine Safety and Health  
Administration

National Aeronautics and Space  
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## AEROSPACE & DEFENSE

### DOD Backs 1st Service Member Sex-Reassignment Surgery

An active-duty service member received sex-reassignment surgery Tuesday amid ongoing legal wrangling over a pending ban on openly transgender people serving in the military, the U.S. Department of Defense said, marking the first time the DOD has approved and paid for the procedure. [Read more »](#)

### Senate Confirms Trump's 3rd Choice For Army Secretary

Third time's the charm: the U.S. Senate confirmed President Donald Trump's third pick to be secretary of the Army on Wednesday, sending Raytheon executive Mark T. Esper to the Pentagon. [Read more »](#)

### Lawmakers Demand TSA Officials Answer Retaliation Claims

Three high-ranking Transportation Security Administration officials linked to allegations of whistleblower retaliation at the agency will speak before Congress voluntarily or face subpoenas to appear, ranking members of the House Oversight Committee said Wednesday. [Read more »](#)

## INTERNATIONAL TRADE

### US, UK Chug Along On Preliminary Trade Talks

U.K. and U.S. trade officials said Wednesday that they've completed their second round of talks to further deepen trade ties between the two nations, with U.K. Secretary of State for International Trade Liam Fox saying they're "laying the groundwork for a potential future free trade agreement." [Read more »](#)

### Industry Urges Congress To Renew Duty-Free Program

More than 350 U.S. companies and industry associations called on leaders of the Senate Finance and House Ways and Means committees Tuesday to take action and renew the Generalized System of Preferences program, which is set to expire at the end of the year. [Read more »](#)

## TAX

### Senate Tax Bill Moving Through Markup Amid Dem Protests

The Senate GOP's \$1.4 trillion tax cut bill moved closer the chamber floor Wednesday after Republicans on the Senate Finance Committee shot down Democratic amendments protesting a last-minute provision repealing the individual mandate of the Affordable Care Act. [Read more »](#)

### Senate Committee Lowers Global Tax On Offshore Income

Senate tax writers tweaked anti-abuse rules in their tax plan Tuesday, lowering a tax rate on intangible offshore income for the first 10 years but raising it, and other base erosion taxes, in 2025 unless the U.S. Treasury hits certain revenue targets. [Read more »](#)

### IRS Advisory Council Sounds Alarm On Agency Budget Cuts

Calling ongoing federal budget cuts to the Internal Revenue Service a disservice to "the nation as a whole," the IRS Advisory Council sounded the alarm in its 2017 annual report on Wednesday to fund the agency adequately, as Congress has expanded its duties while cutting its funding by about \$1 billion since 2010. [Read more »](#)

## BANKRUPTCY

### Puerto Rico Creditors Denied Bid For Separate Debt Probe

Currency

Office of the U.S. Trade Representative

Peace Corps

Securities and Exchange Commission

Transportation Security Administration

U.S. Army

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Education

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. General Services Administration

U.S. House of Representatives

U.S. Immigration and Customs Enforcement

U.S. Senate

U.S. Supreme Court

United States District Court for the Eastern District of Pennsylvania



There will be only one investigation into the origins of Puerto Rico's crippling debt crisis, a federal judge ruled Wednesday, shutting down a creditor committee's effort to conduct its own probe into some of the island's biggest banks but saying their input should be part of a federal board's ongoing inquiry. [Read more »](#)

## IMMIGRATION

### Trump Fires Another Warning Shot At Sanctuary Cities

The Trump administration on Wednesday launched its latest salvo in its bid to challenge so-called sanctuary cities, sending warning letters to communities in states including California, Massachusetts and New York that it suspects are violating federal immigration law. [Read more »](#)

### Feds Can't Deny Cash To Philly Over 'Sanctuary' Policy

A Pennsylvania federal judge on Wednesday temporarily barred the Trump administration from rejecting Philadelphia's bid for a federal policing grant based on the city's "sanctuary city" policy toward unauthorized immigrants. [Read more »](#)

## TELECOMMUNICATIONS

### Advocacy Org. Presses FCC For More Net Neutrality Docs

A media advocacy organization is calling on the Federal Communications Commission to review whether it has actually completed a release of consumer complaints and supporting documents that the group says could shed new light on the expected net neutrality rule rollback. [Read more »](#)

## CIVIL RIGHTS

### Texas Judicial Picks Defend Writings, Tweets Before Senate

President Donald Trump's picks for two Fifth Circuit seats pushed back on criticism of their past writings — and in the case of Texas Supreme Court Justice Don Willett, his tweets — before a Senate panel Wednesday. [Read more »](#)

## EXPERT ANALYSIS

### Opinion

#### Trump Campaign Officials Likely Violated CFAA

The publicly available evidence strongly suggests that certain Trump campaign officials had knowledge that Russian hackers had penetrated the Democratic National Committee computer system before this became publicly known, and sought political benefit from this. If that is true, there is probable cause to charge Trump officials, and maybe the president himself, with felony violations of the Computer Fraud and Abuse Act, says former federal prosecutor Peter Toren. [Read more »](#)

#### How Tax Reform May Hit Aircraft Owners' Pocketbooks

If proposed tax reform legislation passes as written, owners of physical assets such as corporate aircraft would not be able to defer taxable gains when upgrading to newer aircraft. This could negatively affect, among other industries, aircraft manufacturers, resellers, brokers, appraisers, insurers and lenders, says Sandra Shippey of Procopio Cory Hargreaves & Savitch LLP. [Read more »](#)

#### Applying Privacy Laws To Health Info About Opioid Use

The U.S. Department of Health and Human Services recently released guidance explaining when health care providers may share protected health information with family or friends of a patient in crisis, such as following an opioid overdose. However, some may find the guidance less than clear, says Patricia Markus of Nelson Mullins Riley & Scarborough LLP. [Read more »](#)



## China's FDA Reform Will Encourage Life Science Innovation

A recent China Food and Drug Administration Office circular outlines a series of robust reform initiatives that will likely transform the competitive dynamics in China's life sciences industry and considerably impact pharmaceutical and device companies' strategies in the Chinese market, say Katherine Wang and Silvia Mo of Ropes & Gray LLP. [Read more »](#)

### Series

## Judging A Book: Gilstrap Reviews 'Alexander Hamilton'

While Alexander Hamilton is the subject of a hit Broadway musical and renewed biographical examinations, professor Kate Brown takes us down a road less traveled in her book "Alexander Hamilton and the Development of American Law" — showing Hamilton as first, last and foremost an American lawyer, says U.S. District Judge Rodney Gilstrap of the Eastern District of Texas. [Read more »](#)

## LEGAL INDUSTRY

### Analysis

## Law Firms Shun Old Hierarchies With Modern Office Updates

Law firms in which partners have big corner offices, where heavy wooden doors isolate lawyers and staff and where fluorescent lighting floods the space with a yellow hue are becoming obsolete as firms create updated workplaces that reflect a new philosophy — one that values egalitarianism, community and wellness. [Read more »](#)

## Midsize Clients Spend More On Outside Counsel

Medium-sized corporations spend more of their legal budget on outside counsel than large or small companies, and the bite alternative legal service providers take out of legal spend is still comparatively tiny, according to a new report out Wednesday. [Read more »](#)

## Dentons Launches In-House Consulting Team With Ex-GCs

Dentons on Wednesday launched a strategic consulting service with more than 50 former general counsel from around the world to offer mentoring to in-house counsel. [Read more »](#)

### JOBS

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### LAW FIRMS

Buckley Sandler  
Gibson Dunn  
Hogan Lovells  
Paul Hastings  
Alston & Bird  
Arnold & Porter Kaye Scholer  
Baker Donelson  
Ballard Spahr  
Bracewell  
Bradley Arant  
Butler Rubin  
Butler Snow LLP  
Cadwalader Wickersham  
Casellas Alcover  
Clarke Silvergate  
Dechert  
Dentons  
Earthjustice

Fenwick & West  
Ferraiuolo LLC  
Greenberg Traurig  
Greensfelder Hemker  
Husch Blackwell  
Jenner & Block  
Jones Day  
Kahn Soares  
Kirkland & Ellis  
Kopelowitz Ostrow  
Kramer Levin  
Latham & Watkins  
Lytal Reiter  
Manatt Phelps  
Mayer Brown  
McDermott Will  
Milbank Tweed  
Morgan Lewis  
Nelson Mullins  
Norton Rose Fulbright  
O'Melveny & Myers  
O'Neill & Borges  
Paul Weiss  
Procopio Cory  
Proskauer Rose  
Reed Smith  
Robbins Russell  
Roetzel & Andress  
Ropes & Gray  
Stroock & Stroock  
Sullivan & Cromwell  
Vorys Sater  
Weil Gotshal  
Weiss Serota

#### COMPANIES

American Bar Association  
Consumer Federation of America  
Major League Baseball Inc.  
National Consumer Law Center  
National Hockey League  
Public Knowledge  
Alpha Natural Resources, Inc.  
American Hospital Association  
Assured Guaranty Ltd.  
Boehringer Ingelheim  
CIT Group Inc.  
CSP Inc.  
Consumer Bankers Association  
Dole Food Company Inc.  
Dow Chemical Co.

Equifax Inc.  
Ernst & Young  
Financial Industry Regulatory Authority Inc.  
Florida Panthers  
Home Depot, Inc.  
Integreon Managed Solutions Inc.  
KPMG International  
Microsoft Corporation  
Monsanto Company  
Moody's Corporation  
NFL Enterprises LLC  
National Basketball Association  
National Collegiate Athletic Association  
National Corn Growers Association  
National Retail Federation Inc.  
Northern Mariana Islands Retirement Fund  
Northwestern Medicine  
OneWest Bank Group LLC  
Panasonic Corporation  
Raytheon Company  
SIFMA  
Sierra Club  
Sinclair Broadcast Group, Inc.  
Sprint Nextel Corporation  
St. Louis Cardinals  
Target Corporation  
The Gap Inc.  
Tribune Media Co.  
Twitter Inc.  
U.S. Bancorp  
U.S. Chamber of Commerce  
Wal-Mart Stores Inc.  
Wells Fargo & Co.  
Yahoo! Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
Consumer Financial Protection Bureau  
U.S. Supreme Court  
Executive Office of the President  
Federal Trade Commission  
U.S. House of Representatives  
U.S. Senate  
Federal Communications Commission  
Internal Revenue Service  
Office of the Comptroller of the Currency  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Immigration and Customs Enforcement

California Environmental Protection Agency  
Centers for Medicare & Medicaid Services  
Congressional Budget Office  
Council of Inspectors General on Integrity and Efficiency  
Defense Health Agency  
Employee Benefits Security Administration  
European Union  
Food and Drug Administration  
Mine Safety and Health Administration  
National Aeronautics and Space Administration  
National Security Agency  
Office of the U.S. Trade Representative  
Peace Corps  
Securities and Exchange Commission  
Transportation Security Administration  
U.S. Army  
U.S. Department of Agriculture  
U.S. Department of Education  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
United States District Court for the Eastern District of Pennsylvania

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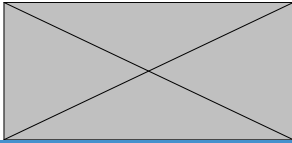
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 12/7/2018 9:49:28 AM  
**Subject:** Justices Unlikely To Curb Dual Prosecutions By States, Feds



**PUBLIC POLICY.**

## The Data-Driven Lawyer

Meet the 2018 award winners and get insights into their innovative practices.

**Friday, December 7, 2018**

### TOP NEWS

#### Justices Unlikely To Curb Dual Prosecutions By States, Feds

The U.S. Supreme Court appeared ready Thursday to reject a historic challenge to separate prosecutions by states and the federal government for the same offense, as both liberal and conservative justices expressed reservations about overturning “170 years” of precedent. [Read full article »](#)

#### Kirkland's William Barr Said To Be Trump's Top Pick For AG

Kirkland & Ellis LLP attorney William P. Barr, who served as U.S. attorney general under President George H.W. Bush, is President Donald Trump's favored choice to succeed Jeff Sessions, according to Thursday media reports. [Read full article »](#)

#### Analysis

#### After Year With Mulvaney, CFPB Enters Kraninger Era

Mick Mulvaney is leaving behind a Consumer Financial Protection Bureau that's had some of the bark and bite taken out of it, but as Kathleen Kraninger steps up to become the agency's next director, the consumer financial watchdog hasn't necessarily gone to sleep, financial services attorneys told Law360. [Read full article »](#)

#### DOJ's AT&T Appeal Needs Numbers, Not Theory: DC Circ.

A D.C. Circuit panel appeared skeptical in oral arguments Thursday of the U.S. Department of Justice's attempts to revive its challenge to AT&T's Time Warner purchase, demanding numbers to back up economic theory and questioning whether a district judge's factual findings crossed the line into clear, reversible error. [Read full article »](#)

#### Congress Passes Bill To Fund Gov't Through Dec. 21

Congress passed legislation Thursday that will at least temporarily avert a partial federal government shutdown, putting off divisive debates over border security and a wall on the U.S.-Mexico border until just before Christmas. [Read full article »](#)

#### Sen. Hatch Open To Extenders In Year-End Spending Bill

Instead of passing a broad tax package released in the U.S. House of Representatives, it's possible that Congress will simply include so-called tax extenders in a year-end spending bill, Senate Finance Committee Chairman Orrin Hatch, R-Utah, told reporters Thursday. [Read full article »](#)

#### Justices Told Corp. Campaign Money Ban Unconstitutional

Two Massachusetts small businesses have urged the U.S. Supreme Court to take up

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#### LAW FIRMS

Akin Gump  
Alston & Bird  
Anderson Kill  
Baker McKenzie  
Barnhouse Keegan  
Berger Singerman  
Boies Schiller  
Briggs and Morgan  
Clark Hill  
Constangy Brooks  
Constantine Cannon  
Covington & Burling  
Cozen O'Connor  
Cravath Swaine  
Debevoise & Plimpton  
Duane Morris  
Epstein Becker Green  
Fenwick & West  
Finnegan  
Franczek Radelet  
Gibson Dunn  
Goldstein & Russell  
Goodwin  
GrayRobinson  
Hawke McKeon  
Hill Ward  
Hogan Lovells

CLV000988

their challenge to a state ban on corporate contributions to political campaigns, calling the law “unfair” since the prohibition doesn’t extend to labor union contributions. [Read full article »](#)

## SERIES SPOTLIGHT

### Data-Driven Lawyer: Ogletree's Evan Moses

Ogletree's Evan Moses uses unconventional strategies to boost the firepower of his class action practice, including a homegrown Monte Carlo algorithm, earning him a spot on our 2018 list of Data-Driven Lawyers. [Read full article »](#)

## BANKING & SECURITIES

### Senate Approves Trump's CFPB Pick, Despite Critics

The Senate confirmed President Donald Trump’s choice to lead the Consumer Financial Protection Bureau on Thursday in a party line vote approving Kathleen Kranning to take over as the permanent head of the agency. [Read full article »](#)

### Proxy Firms Should Be Regulated, Senate Panel Hears

A former U.S. Securities and Exchange Commission official and a business lobbyist on Thursday both told U.S. senators that proxy advisory firms should be scrutinized more closely given their influence over corporate elections, though a New York City assistant comptroller warned of overreach that could backfire against investors. [Read full article »](#)

### Wall St. Lobby Fights State Action On 'Best Interest' Standard

Wall Street’s top trade association and leading lobbyist plans to keep pressure next year on state officials who consider following Nevada in imposing a higher standard of care on broker-dealers. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

### McNamee Confirmed For FERC Slot Amid Climate Controversy

The U.S. Senate on Thursday narrowly confirmed Bernard McNamee to fill a vacant slot on the Federal Energy Regulatory Commission over unified Democratic opposition due to his role in the Trump administration's efforts to bail out coal and nuclear plants and his documented criticism of renewable energy. [Read full article »](#)

#### Analysis

### EPA's Coal Gift Hints At Broader Climate Policy Challenge

The U.S. Environmental Protection Agency's Thursday rollback of Obama-era coal plant carbon dioxide emission regulations is intended to help revive the struggling industry and contains a hint that the administration is considering how to challenge or circumvent an earlier finding that CO2 endangers human health, experts said. [Read full article »](#)

### Pa. Justices Won't Hear Sunoco Pipeline Land-Grab Appeal

The Supreme Court of Pennsylvania refused to hear an environmental group’s allegations that a Sunoco Inc. unit abused its eminent domain power assembling land for the controversial Mariner East 2 natural gas pipeline, according to an order made public Thursday. [Read full article »](#)

### Enviros Sue To Block Minneapolis Rezoning Plan

A coalition of environmental groups have filed a suit against the city of Minneapolis in Minnesota state court looking to block a proposed rezoning plan they say has not undergone a proper review and would cause severe environmental damage. [Read full article »](#)

### Young Climate Fight Warriors Want Pretrial Process To Move

Holland & Knight  
Hudson Cook  
Hueston Hennigan  
Jones Day  
Kasowitz Benson  
Kemp Smith  
Kirkland & Ellis  
Kramer Levin  
Lynn Pinker  
Manatt Phelps  
Mayer Brown  
McCarter & English  
Michelman & Robinson  
Norton Rose Fulbright  
O'Melveny & Myers  
Ogletree Deakins  
Patterson Belknap  
Pepper Hamilton  
Perkins Coie  
Quinn Emanuel  
Richards Layton  
Robbins Geller  
Rogers Towers  
Ropes & Gray  
Scott + Scott  
Shearman & Sterling  
Sheppard Mullin  
Shook Hardy  
Sidley Austin  
Stroock & Stroock  
Weil Gotshal  
White & Case  
Wiley Rein

#### COMPANIES

AT&T Inc.  
Airbnb Inc.  
Apple Inc.  
Bausch & Lomb  
BlueSnap Inc.  
Center for Biological Diversity  
Charter Communications Inc.  
Comcast Corporation  
Competitive Enterprise Institute  
Computer & Communications  
Industry Association  
DaVita Inc.  
Deutsche Bank AG  
Dynamex, Inc.  
Facebook  
Johnson & Johnson  
Johnson Controls International

The young plaintiffs who are accusing the federal government of acting to make climate change worse asked a Washington federal judge to revise her prior order staying the case and let pretrial proceedings including discovery move forward. [Read full article »](#)

## **Enviros Blast BLM Revamp To Sage-Grouse Plan**

The U.S. Bureau of Land Management on Thursday unveiled revisions of an Obama-era plan to protect greater sage-grouse and their habitat that environmental groups immediately denounced as a giveaway to oil and gas developers and other industries that threatens the bird's future. [Read full article »](#)

## **MEDIA & ENTERTAINMENT**

### **Appeals Court Backs Texas Tech U In Doc Row With Journalist**

A Texas appeals court has sided with Texas Tech University in its spat with an investigative journalist, ruling that a trial court was wrong to deny the school's challenge to its jurisdiction. [Read full article »](#)

## **TRANSPORTATION & INFRASTRUCTURE**

### **Oakland Is Interfering With Shipping Terminal, Developer Says**

An Oakland cargo shipping terminal developer has taken its fight over proposed coal operations at the facility to state court, accusing the city of spending the last few years working to obstruct the project, despite previously giving its blessing. [Read full article »](#)

## **EMPLOYMENT**

### **Feature**

### **XPO Pregnancy Outcry Seen As 'Wake-Up Call' For Employers**

Shipping giant XPO Logistics is facing vocal criticism over allegations that it mistreated pregnant workers, underscoring the need for companies to do right by employees who are expecting. Here, experts share three tips for employers looking to follow the law and stay out of the headlines. [Read full article »](#)

### **Dem Senators Want Answers On Acosta's Role In Epstein Plea**

A group of Democratic senators urged the U.S. Department of Justice's watchdog Thursday to look into why prosecutors cut a deal with billionaire convicted sex offender Jeffrey Epstein during current Labor Secretary Alexander Acosta's tenure as a U.S. attorney in Florida. [Read full article »](#)

### **Calif. Bill Floated To Undo Dynamex Worker Classification Test**

California Assemblywoman Melissa Melendez has announced proposed legislation that would loosen the criteria employers use to classify workers as independent contractors, undoing the state Supreme Court's landmark Dynamex decision from earlier this year. [Read full article »](#)

## **TAX**

### **Pa. Fireworks Tax Constitutional, Appeals Court Says**

Pennsylvania's expansion and increase of taxes on fireworks sales did not violate the state Constitution, a commonwealth appeals court has found while striking portions of a law that regulated temporary structures used to sell fireworks. [Read full article »](#)

### **Ohio House Passes Bill Exempting Tampons From Sales Tax**

Lawmakers in Ohio have overwhelmingly passed a so-called "pink tax" bill Wednesday, becoming the latest state to move toward exempting tampons and other feminine hygiene products from sales tax. [Read full article »](#)

## **PLC**

KPMG International

LexisNexis Group

LinkedIn Corp.

Major Lindsey & Africa

Monster Beverage Corp.

Mylan NV

NBCUniversal Inc.

NERA Economic Consulting

National Mining Association

Nike Inc.

Our Children's Trust

P.F. Chang's China Bistro Inc.

Pacer International, Inc.

Patriarch Partners

Public Knowledge

Reed Elsevier

SIFMA

Sierra Club

Sinclair Broadcast Group, Inc.

Spectrum Management Holding Co.

Sunoco LP

Texas Public Policy Foundation

The DIRECTV Group, Inc.

The Wireless Internet Service Providers Association

Tribune Media Co.

Turner Broadcasting System Inc.

United Parcel Service Inc.

VPX Sports

Verizon Communications Inc.

Wal-Mart Stores Inc.

Washington Post Co.

XPO Logistics Inc.

## **GOVERNMENT AGENCIES**

Bureau of Land Management

California Supreme Court

Centers for Disease Control and Prevention

Consumer Financial Protection Bureau

Council on Environmental Quality

Delaware Court of Chancery

Energy Information Administration

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

Federal Energy Regulatory Commission

Fish and Wildlife Service



## IMMIGRATION

### Salvadoran Who Reported Gangs May Get Asylum: 9th Circ.

A Salvadoran woman who reported gang extortion to the police several times may be eligible for asylum or other relief, the Ninth Circuit held Wednesday, kicking her case back to the Board of Immigration Appeals to consider her claims in light of several recent appeals court rulings. [Read full article »](#)

### 8th Circ. Affirms BIA's Denial Of Sexual Abuser's Relief Bid

A split Eighth Circuit panel on Thursday affirmed a Board of Immigration Appeals ruling that reversed an immigration judge's decision to allow a Mexican native who pled guilty to sexually abusing two minors to avoid deportation and adjust his legal status. [Read full article »](#)

### Migrants Ask DC Court To Block Trump's Asylum Policy

Two asylum seekers seeking to represent a nationwide class challenged the Trump administration's rule and subsequent proclamation stripping asylum eligibility from migrants who cross the southern border outside of a designated port of entry in a suit filed in D.C. federal court. [Read full article »](#)

## NATIVE AMERICAN

### Pueblo Tribe Slams Texas' Bid To End Bingo Operations

A Pueblo tribe on Wednesday slammed Texas' move to stop its bingo machine operations, arguing in federal court that the state's bingo classifications improperly exclude Indian tribes and that the state impinges on the tribe's rights under the Fourteenth Amendment. [Read full article »](#)

## TELECOMMUNICATIONS

### FCC Appoints New In-House Judge To Fill Retirement Vacancy

The Federal Communications Commission announced Thursday that it is appointing a new administrative law judge, elevating 30-year in-house attorney Jane Hinckley Halprin to fill a recent vacancy left by Judge Richard Sippel's retirement. [Read full article »](#)

### Lawmakers Tout Industry Support Of Spectrum Pricing Bill

A slew of communications technology associations have heaped more praise onto a bipartisan Senate bill that could free up spectrum owned by the public sector for industry use, the two lawmakers behind the bill announced Thursday. [Read full article »](#)

## EXPERT ANALYSIS

### Opinion

#### Why We Need Anti-Money Laundering Whistleblower Awards

The recent Mossack Fonseca indictments and Deutsche Bank raid would not have been possible without the whistleblower behind the Panama Papers leak. But there is no incentive for rooting out the type of criminal money laundering revealed here, creating a large enforcement gap, say Eric Havian and Michael Ronickher of Constantine Cannon LLP. [Read full article »](#)

### Potential Impact Of New FDA Nutrition Label Requirements

Food companies are required to comply with updates to the U.S. Food and Drug Administration's Nutrition Facts labeling requirements by 2020. Lawrence Reichman and Cassie Roberts of Perkins Coie LLP review the changes and discuss possible effects on consumers and manufacturers. [Read full article »](#)

Food and Drug Administration  
Internal Revenue Service  
Massachusetts Supreme Judicial Court  
National Telecommunications and Information Administration  
Pennsylvania Supreme Court  
Securities and Exchange Commission  
U.S. Attorney's Office  
U.S. Department of Energy  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Senate  
U.S. Supreme Court  
United Nations  
Ysleta del Sur Pueblo



## A Comparison Of This Year's Carbon Tax Proposals: Part 2

In the second installment of this two-part series about four carbon pricing policy plans that garnered attention in 2018, Noah Kaufman of Columbia University's Center for Global Energy Policy discusses the potential impacts each would have on emissions, energy markets and the economy. [Read full article »](#)

## Medical Marijuana Poses ADA Risks For Pa. Health Care Cos.

For health care employers, the enactment of Pennsylvania's Medical Marijuana Act has further complicated navigation of reasonable accommodations under the Americans with Disabilities Act. Mariah Passarelli of Cozen O'Connor discusses the pitfalls companies face at the crossroads of these two statutes. [Read full article »](#)

## LEGAL INDUSTRY

### Hueston Hennigan Associates' Bonuses To Exceed Cravath's

Hueston Hennigan LLP will dole out end-of-year bonuses for associates that top the market standard previously set by Cravath Swaine & Moore LLP, joining a number of firms that have recently disclosed their scales, according to media reports Thursday. [Read full article »](#)

### Male Partners Make 53% More Than Female Colleagues

Female partners receive markedly less compensation on average than their male colleagues at U.S. law firms, and the 53 percent pay gap is driven largely by discrepancies in origination and hourly rates, a report released on Thursday has found. [Read full article »](#)

### White & Case Narrowing Gender Gap In UK Partner Pay

White & Case LLP is whittling down the pay gap between male and female partners in its London office, according to data voluntarily disclosed by the U.S. law firm along with information required by the United Kingdom's Equality Act. [Read full article »](#)

### Ex-BigLaw Atty Dodges Prison For \$9M Transfer Racket

A former attorney at Boies Schiller Flexner LLP and Gibson Dunn & Crutcher LLP on Thursday avoided prison time for operating an unlicensed money transfer business that funneled over \$9 million from the U.S. to Mexico on others' behalf. [Read full article »](#)

### Law360's Weekly Verdict: Legal Lions & Lambs

Finnegan and Shook Hardy & Bacon top this week's legal lions list with a Federal Circuit victory for client Sprint in a patent battle with Time Warner Cable, while Berger Singerman ended up among the legal lambs after a Florida court ruled against its client, Airbnb, in a fight with the city of Miami. [Read full article »](#)

## JOBS

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### Labor & Employment Associate

Ogletree, Deakins, Nash, Smoak & Stewart  
San Antonio, Texas

## LAW FIRMS

Mayer Brown  
Boies Schiller  
Covington & Burling  
Cravath Swaine  
Hogan Lovells  
Kirkland & Ellis  
Ogletree Deakins  
Sidley Austin  
Akin Gump

Alston & Bird  
Anderson Kill  
Baker McKenzie  
Barnhouse Keegan  
Berger Singerman  
Briggs and Morgan  
Clark Hill  
Constangy Brooks  
Constantine Cannon  
Cozen O'Connor  
Debevoise & Plimpton  
Duane Morris  
Epstein Becker Green  
Fenwick & West  
Finnegan  
Franczek Radelet  
Gibson Dunn  
Goldstein & Russell  
Goodwin  
GrayRobinson  
Hawke McKeon  
Hill Ward  
Holland & Knight  
Hudson Cook  
Hueston Hennigan  
Jones Day  
Kasowitz Benson  
Kemp Smith  
Kramer Levin  
Lynn Pinker  
Manatt Phelps  
McCarter & English  
Michelman & Robinson  
Norton Rose Fulbright  
O'Melveny & Myers  
Patterson Belknap  
Pepper Hamilton  
Perkins Coie  
Quinn Emanuel  
Richards Layton  
Robbins Geller  
Rogers Towers  
Ropes & Gray  
Scott + Scott  
Shearman & Sterling  
Sheppard Mullin  
Shook Hardy  
Stroock & Stroock  
Weil Gotshal  
White & Case  
Wiley Rein

## COMPANIES

Charter Communications Inc.  
Facebook  
Spectrum Management Holding Co.  
Tribune Media Co.  
AT&T Inc.  
Airbnb Inc.  
Apple Inc.  
Bausch & Lomb  
BlueSnap Inc.  
Center for Biological Diversity  
Comcast Corporation  
Competitive Enterprise Institute  
Computer & Communications Industry Association  
DaVita Inc.  
Deutsche Bank AG  
Dynamex, Inc.  
Johnson & Johnson  
Johnson Controls International PLC  
KPMG International  
LexisNexis Group  
LinkedIn Corp.  
Major Lindsey & Africa  
Monster Beverage Corp.  
Mylan NV  
NBCUniversal Inc.  
NERA Economic Consulting  
National Mining Association  
Nike Inc.  
Our Children's Trust  
P.F. Chang's China Bistro Inc.  
Pacer International, Inc.  
Patriarch Partners  
Public Knowledge  
Reed Elsevier  
SIFMA  
Sierra Club  
Sinclair Broadcast Group, Inc.  
Sunoco LP  
Texas Public Policy Foundation  
The DIRECTV Group, Inc.  
The Wireless Internet Service Providers Association  
Turner Broadcasting System Inc.  
United Parcel Service Inc.  
VPX Sports  
Verizon Communications Inc.  
Wal-Mart Stores Inc.  
Washington Post Co.  
XPO Logistics Inc.

## GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Executive Office of the President  
Securities and Exchange Commission  
Consumer Financial Protection Bureau  
Federal Communications Commission  
U.S. Department of Labor  
U.S. House of Representatives  
United Nations  
Bureau of Land Management  
California Supreme Court  
Centers for Disease Control and Prevention  
Council on Environmental Quality  
Delaware Court of Chancery  
Energy Information Administration  
Federal Bureau of Investigation  
Federal Energy Regulatory Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Internal Revenue Service  
Massachusetts Supreme Judicial Court  
National Telecommunications and Information Administration  
Pennsylvania Supreme Court  
U.S. Attorney's Office  
U.S. Department of Energy  
U.S. Department of Homeland Security  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Senate  
Ysleta del Sur Pueblo

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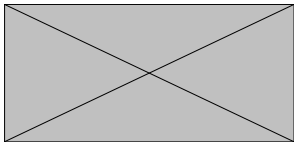
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**From:** Public Policy Law360  
**Sent:** Mon 6/12/2017 7:25:58 AM  
**Subject:** [Marketing Mail] Trump's Plan To Take Comey Leak To DOJ Likely A Lost Cause



PUBLIC POLICY.

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**Monday, June 12, 2017**

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## TOP NEWS

### Trump's Plan To Take Comey Leak To DOJ Likely A Lost Cause

Ex-FBI Director James Comey raised eyebrows Thursday when he admitted during Senate testimony that he deliberately leaked unflattering memos detailing talks with President Donald Trump to the news media, but experts agree that a plan by Trump's personal lawyer to bring the matter to the U.S. Department of Justice is an exercise in futility. [Read more »](#)

### Kasowitz To File Complaint Against Comey On Trump Memos

President Donald Trump's attorney Marc Kasowitz plans to file a complaint with the Department of Justice this week against former FBI Director James Comey over the public release of the memos of his conversations with the president, a person close to the legal team confirmed to Law360 on Friday. [Read more »](#)

### Comey, DOJ Don't Match Up On Sessions' Russia Probe Exit

The reasons underpinning U.S. Attorney General Jeff Sessions' recusal from ongoing investigations into Russian interference in the 2016 election and possible ties to the Trump campaign raised questions on Thursday, when former FBI Director James Comey and the U.S. Department of Justice offered conflicting accounts. [Read more »](#)

### Senate's Grassley Blasts Trump Effort To Dodge Oversight

The Senate Judiciary Committee's top Republican has blasted attempts by President Donald Trump to avoid oversight, calling the Office of Legal Counsel's excuse for it "nonsense." [Read more »](#)

### EPA Furthers Process Of Potentially Pulling Back CPP

The U.S. Environmental Protection Agency took a step forward on President Donald Trump's efforts to rescind or revise the Clean Power Plan on Thursday by sending a review of the rule to the Office of Management and Budget for analysis, according to a notice posted on the OMB's website. [Read more »](#)

## BANKING & SECURITIES

### Analysis

### CFPB Could Avoid Fight With New Debt Collection Plan

The Consumer Financial Protection Bureau's director on Thursday said the agency would look to rewrite rules for debt collectors' communications and disclosures with consumers before dealing with thornier questions on data accuracy, a move experts say could avoid opposition from Republicans, as there is wide agreement the rules need to be updated. [Read more »](#)

## ENERGY & ENVIRONMENTAL

## LAW FIRMS

Arnold & Porter Kaye Scholer  
Baron & Budd  
Bilzin Sumberg  
Brann & Isaacson  
Cotchett Pitre  
Crowell & Moring  
DLA Piper  
Debevoise & Plimpton  
Dechert  
Earthjustice  
Eversheds Sutherland  
Farrell & Reisinger  
Ferraiuoli LLC  
Fisher Phillips  
Fletcher Heald  
Gibson Dunn  
Graham & Dunn  
Greenberg Traurig  
Hilder & Associates  
Hobbs Straus  
Hogan Lovells  
Holland & Knight  
Hughes Hubbard  
Hunton & Williams  
Jones Day  
Kaplan Kirsch  
Kasowitz Benson  
King & Spalding  
Kirkland & Ellis  
McGlinchey Stafford  
McGuireWoods  
Milbank Tweed  
Miller Nash  
Morgan Lewis  
Morrison & Foerster  
O'Melveny & Myers  
O'Neill & Borges  
Proskauer Rose  
Quinn Emanuel

CLV000996

## Analysis

### The Biggest Environmental Rulings Of 2017: Midyear Report

From courts putting the brakes on legal battles over Obama-era regulations to an affirmation of California's cap-and-trade program to a settlement in a closely watched suit over a proposed Alaska copper mine, the first half of 2017 saw several significant decisions in environmental cases. [Read more »](#)

### AGs Vow Legal Fight If EPA Nixes Vehicle Emissions Regs

More than a dozen Democratic state attorneys general on Thursday vowed to take the U.S. Environmental Protection Agency to court if the agency rolls back air pollution standards for vehicles, saying the standards, which would cut nearly half a million cars' worth of emissions annually, have already been approved through to 2025. [Read more »](#)

### Feds Lose Bid For Direct Appeal In Kids' Climate Change Suit

An Oregon federal judge declined to certify her refusal to dismiss a lawsuit accusing the U.S. of failing to protect future generations from climate change, saying Thursday that the federal government's recent push for an immediate decision on the matter was "ironic." [Read more »](#)

## HEALTH & LIFE SCIENCES

### Pro, Anti-Abortion Groups Tussle Over Bid To DQ Judge

A California federal judge on Thursday agreed to refer to a colleague a motion to disqualify him from hearing a suit over an anti-abortion group's release of videos alleging misconduct by abortion providers, after the founder of the group claimed the judge's ties to a social services center that partners with Planned Parenthood showed bias. [Read more »](#)

## MEDICAL MALPRACTICE

## Analysis

### Fla. Justices' Med Mal Cap Ruling May Mobilize Lawmakers

The Florida Supreme Court's recent split ruling that a 2003 state law capping noneconomic damages in medical malpractice cases is unconstitutional was a major decision which experts said was a big win for patients but may not be the end of Florida lawmakers' efforts to enact tort reform bills. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### DC Circuit Says Locomotives Can Idle At Night In Delaware

Delaware authorities won't be allowed to order locomotives idling in residential areas at night to quiet down or move along, the D.C. Circuit said on Friday, rejecting the state's challenge of a Surface Transportation Board finding that its train idling statute was overruled by federal law. [Read more »](#)

## INSURANCE

### Bond Insurer Calls Puerto Rico Fiscal Plan Unconstitutional

Ambac Assurance Corp. on Thursday accused the commonwealth of Puerto Rico and several of the territory's insolvent public corporations of violating the law Congress established to buoy the island's sinking economy, saying special revenue funds are being unconstitutionally diverted from paying back bondholders. [Read more »](#)

## REAL ESTATE

Reed Smith  
Sauer & Wagner  
Sheppard Mullin  
Sidley Austin  
Skadden  
Vedder Price  
Venable LLP  
Vinson & Elkins  
Weil Gotshal  
WilmerHale  
Winston & Strawn

## COMPANIES

3M Company  
Alliance Defending Freedom  
Amazon.com Inc.  
American Association for Justice  
American Bankers Association  
American Bar Association  
American Federation of Labor and Congress of Industrial Organizations  
American Hotel & Lodging Association  
American Petroleum Institute Inc.  
AmerisourceBergen Corporation  
Associated Press  
BancorpSouth Inc  
Berkeley Research Group  
CVS Caremark Corporation  
Caesars Entertainment  
Cardinal Health Inc.  
DISH Network Corporation  
DTE Energy Company  
DraftKings Inc.  
Facebook  
FanDuel Inc.  
Financial Industry Regulatory Authority Inc.  
Gannett Co. Inc.  
Google Inc.  
Hudson City Bancorp Inc.  
IMF Bentham Ltd.  
Lehman Brothers Holdings Inc.  
LightSquared Inc.  
McKesson Corporation  
MetLife Inc.  
Morgan Stanley  
National Association of Insurance Commissioners  
National Association of Manufacturers  
National Consumer Law Center

## NJ City Had Authority To Modify Zoning Plan, Panel Says

The New Jersey Appellate Division on Friday ruled that a 2012 settlement resolving a Jersey City zoning dispute was enforceable and binding to future municipal officials because state law authorizes municipalities to further redevelopment, which can be a lengthy process that traverses City Council administrations. [Read more »](#)

## EMPLOYMENT

## DOL Floats Proposal To Throw Out Persuader Rule

The U.S. Department of Labor has called for public feedback on whether it should rescind its so-called persuader rule, which required employers to report arrangements with labor-management consultants to influence employees during union organizing campaigns. [Read more »](#)

## TAX

## Former Pa. Treasurer Cops To Lying To Feds

Former Pennsylvania state Treasurer Barbara Hafer pled guilty Friday to lying to the Federal Bureau of Investigation and the Internal Revenue Service, avoiding a trial that was set to begin Monday. [Read more »](#)

## Mass. Sued Over Sales Tax Rule Targeting Online Vendors

Two trade groups fighting a now-suspended Tennessee regulation requiring out-of-state retailers to collect sales tax launched a second lawsuit Friday, this time over a similar directive in Massachusetts and with a powerful ally attesting to the directive's illegality under a federal law he drafted in 1998. [Read more »](#)

## SPORTS

## Michigan Lawmakers Introduce Daily Fantasy Sports Bills

Michigan lawmakers on Thursday introduced a pair of bills in the state's House of Representatives designed to legalize and regulate daily fantasy sports, joining a host of other states considering such legislation. [Read more »](#)

## IMMIGRATION

## ICE Ends Detention Alternative Program, Citing Few Removals

U.S. Immigration and Customs Enforcement is ending a detention alternative program for asylum seekers that is less than two years old, pointing to the expense of the program and the small number of deportations associated with it. [Read more »](#)

## Syracuse Center Sues Over Withheld FOIA Immigration Data

The leaders of a data-gathering and research center associated with Syracuse University sued the U.S. Immigration and Customs Enforcement on Thursday over its sudden withholding of certain information from the center's Freedom of Information Act requests related to undocumented immigrant investigations and deportations. [Read more »](#)

## Over 120K DACA Applicants Approved So Far This Year

More than 120,000 applications for Deferred Action for Childhood Arrivals were approved in the first three months of this year, according to government statistics released Thursday, with the development coming as the Trump administration continues to hold off on making changes to the program. [Read more »](#)

## NATIVE AMERICAN

Natural Resources Defense Council  
New York Times Co.  
Norfolk Southern Corporation  
Northern Dynasty Minerals Ltd.  
Planned Parenthood Federation  
Sberbank  
Sierra Club  
Sinclair Broadcast Group, Inc.  
TPG Capital  
TW Liquidation Corp.  
The Renco Group  
Toyota Motor Corporation  
Tribune Media Co.  
Tronox Ltd.  
Twitter Inc.  
U.S. Chamber of Commerce  
Uber Technologies Inc.  
Verizon Communications  
Wal-Mart Stores Inc.  
Walgreens Boots Alliance Inc.  
Washington Post Co.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Land Management  
California Environmental Protection Agency  
Cherokee Nation  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Department of Commerce  
European Commission  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Election Commission  
Federal Emergency Management Agency  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Habitat for Humanity  
Iipay Nation of Santa Ysabel  
Internal Revenue Service  
International Monetary Fund  
Massachusetts Department of



## Analysis

### Native American Cases To Watch In The 2nd Half Of 2017

A U.S. Supreme Court fight over whether a law that ended a challenge to a tribal casino passes constitutional muster and the Cherokee Nation's tribal court suit seeking to hold major pharmacies and drug distributors accountable for the opioid crisis plaguing its citizens are at the top of the list of cases Native American law practitioners will be keeping an eye on in the second half of 2017. [Read more »](#)

### Contractor, Cos. Must Pay \$4.58M Over Mont. Tribe Scandal

A Montana federal judge on Thursday sentenced a man to two years in prison and ordered him and his companies to pay a total of \$4.58 million in fines and restitution, in the latest judgment stemming from a broad corruption scandal involving the misuse of federal funding at the Rocky Boy's Indian Reservation. [Read more »](#)

## TELECOMMUNICATIONS

## Analysis

### FCC TV Ownership Shift Likely To Pass Muster At DC Circ.

The Federal Communications Commission's decision to relax TV ownership limits appears likely to withstand a challenge at the D.C. Circuit, experts say, and a request to delay it from taking effect in the meantime also may not succeed. [Read more »](#)

### Low Broadband, High Disease Rates In Many Areas, Says FCC

Nearly half of all counties in the U.S. have a combination of high levels of chronic diseases such as diabetes and the need for improved broadband connections, an increase of about 1 million people from 2014 to 2015, according to data released Thursday by the Federal Communications Commission. [Read more »](#)

## PEOPLE

### Vedder Price Snags Insurance, ETF Pro From Reed Smith

Financial services attorney W. Thomas Conner, who developed expertise in working with life insurers and spent time as general counsel for a retirement services industry trade group, has joined Vedder Price PC. [Read more »](#)

## EXPERT ANALYSIS

### A Note Of Appreciation To USPTO Director Michelle Lee

After leading the U.S. Patent and Trademark Office through one of the more remarkable stages in patent history, Michelle Lee recently resigned from her post. Director Lee, thank you for your outstanding service, says Kathi Vidal of Winston & Strawn LLP. [Read more »](#)

### Inside The CFTC's Enhanced Whistleblower Protections

The U.S. Commodity Futures Trading Commission recently adopted amendments that strengthen anti-retaliation protections for whistleblowers by expanding the CFTC's enforcement authority. These amendments raise several questions for employers engaged in derivative markets, say members of Morgan Lewis & Bockius LLP. [Read more »](#)

### Trends From CFPB's Unwavering Focus On Fair Lending

According to its recent fair lending report, the Consumer Financial Protection Bureau plans to increase its focus in the coming years on three areas. As such, institutions should proactively use these focus areas as guideposts in developing their internal review processes and be prepared to address these topics in their next compliance examinations, say Abigail Lyle and Rachael Craven of Hunton & Williams LLP. [Read more »](#)

## Revenue

Match-E-Be-Nash-She-Wish Band of Pottawatomí

Michigan Department of Licensing & Regulatory Affairs

National Highway Traffic Safety Administration

National Labor Relations Board

New York Attorney General's Office

Pawnee Nation of Oklahoma

Pennsylvania Department of Environmental Protection

Securities and Exchange Commission

Surface Transportation Board

U.S. Army

U.S. Attorney's Office

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. Immigration and Customs Enforcement

U.S. Patent and Trademark Office

U.S. Supreme Court



## Opinion

### 7th Circ. Trans Bathroom Decision Misapplied Title IX

Following the Seventh Circuit's recent decision in *Whitaker v. Kenosha Unified School District*, the school district should appeal this case to the U.S. Supreme Court so that the justices can remind the Seventh Circuit how to properly interpret a federal statute and the U.S. Constitution, says Jordan Lorence of Alliance Defending Freedom. [Read more »](#)

## LEGAL INDUSTRY

### Analysis

#### Trump, Russia And Longtime Litigator Marc Kasowitz

President Donald Trump's lawyer, Marc Kasowitz of Kasowitz Benson Torres LLP, has been thrust into the public spotlight. Here, Law360 takes a look at Kasowitz's client list. [Read more »](#)

#### GC Cheat Sheet: The Hottest Corporate News Of The Week

The USPTO director has stepped down, corporate counsel leaders share their secrets for slimming their legal spending, and state attorneys general raise concerns about "ringless" robocalls. Those stories top the corporate legal news you may have missed last week. [Read more »](#)

#### In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

#### Q&A With Baron And Blue's Lisa Blue

I have never lost my passion for politics and remain committed both on a national and local level to help elect lawmakers who want to protect the constitutional right to trial by jury, says Lisa Blue of Baron and Blue. [Read more »](#)

## JOB

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Arnold & Porter Kaye Scholer  
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Sidley Austin  
Baron & Budd  
Bilzin Sumberg  
Brann & Isaacson  
Cotchett Pitre  
Crowell & Moring  
DLA Piper  
Debevoise & Plimpton  
Dechert  
Earthjustice  
Eversheds Sutherland  
Farrell & Reisinger  
Ferraiuoli LLC

Fisher Phillips  
Fletcher Heald  
Gibson Dunn  
Graham & Dunn  
Hilder & Associates  
Hobbs Straus  
Hogan Lovells  
Holland & Knight  
Hughes Hubbard  
Hunton & Williams  
Jones Day  
Kaplan Kirsch  
King & Spalding  
Kirkland & Ellis  
McGlinchey Stafford  
McGuireWoods  
Milbank Tweed  
Miller Nash  
O'Melveny & Myers  
O'Neill & Borges  
Proskauer Rose  
Quinn Emanuel  
Reed Smith  
Sauer & Wagner  
Sheppard Mullin  
Skadden  
Vedder Price  
Venable LLP  
Vinson & Elkins  
Weil Gotshal  
WilmerHale  
Winston & Strawn

#### COMPANIES

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Google Inc.  
National Association of Manufacturers  
Sierra Club  
U.S. Chamber of Commerce  
3M Company  
Alliance Defending Freedom  
Amazon.com Inc.  
American Association for Justice  
American Bankers Association  
American Bar Association  
American Federation of Labor and Congress of Industrial Organizations  
American Hotel & Lodging Association  
American Petroleum Institute Inc.  
AmerisourceBergen Corporation  
BancorpSouth Inc

CVS Caremark Corporation  
Caesars Entertainment  
Cardinal Health Inc.  
DISH Network Corporation  
DTE Energy Company  
DraftKings Inc.  
Facebook  
FanDuel Inc.  
Financial Industry Regulatory Authority Inc.  
Gannett Co. Inc.  
Hudson City Bancorp Inc.  
IMF Bentham Ltd.  
Lehman Brothers Holdings Inc.  
LightSquared Inc.  
McKesson Corporation  
MetLife Inc.  
Morgan Stanley  
National Association of Insurance Commissioners  
National Consumer Law Center  
Natural Resources Defense Council  
New York Times Co.  
Norfolk Southern Corporation  
Northern Dynasty Minerals Ltd.  
Planned Parenthood Federation  
Sberbank  
Sinclair Broadcast Group, Inc.  
TPG Capital  
TW Liquidation Corp.  
The Renco Group  
Toyota Motor Corporation  
Tribune Media Co.  
Tronox Ltd.  
Twitter Inc.  
Uber Technologies Inc.  
Verizon Communications  
Wal-Mart Stores Inc.  
Walgreens Boots Alliance Inc.  
Washington Post Co.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
Federal Bureau of Investigation  
U.S. Supreme Court  
U.S. Environmental Protection Agency  
Consumer Financial Protection Bureau  
Federal Communications Commission  
Securities and Exchange Commission  
U.S. Patent and Trademark Office  
Bureau of Land Management  
Executive Office of the President  
Internal Revenue Service

U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Immigration and Customs Enforcement  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
California Environmental Protection Agency  
Cherokee Nation  
Commodity Futures Trading Commission  
Department of Commerce  
European Commission  
Federal Election Commission  
Federal Emergency Management Agency  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Habitat for Humanity of Upper Lake  
Iipay Nation of Santa Ysabel  
International Monetary Fund  
Massachusetts Department of Revenue  
Match-E-Be-Nash-She-Wish Band of Pottawatom  
Michigan Department of Licensing & Regulatory Affairs  
National Highway Traffic Safety Administration  
National Labor Relations Board  
New York Attorney General's Office  
Pawnee Nation of Oklahoma  
Pennsylvania Department of Environmental Protection  
Surface Transportation Board  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of the Interior

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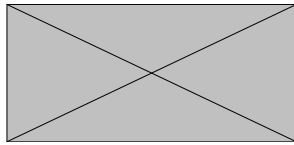
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 1/31/2017 9:31:17 AM  
**Subject:** [Marketing Mail] A Cheat Sheet To Trump's Supreme Court Nomination



PUBLIC POLICY

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Tuesday, January 31, 2017

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## TOP NEWS

### A Cheat Sheet To Trump's Supreme Court Nomination

If his Twitter account is to be trusted, President Donald Trump on Tuesday night will reveal his choice to replace the late conservative Justice Antonin Scalia on the U.S. Supreme Court, the opening in what will be a series of chess moves by Democrats and Republicans over the political balance of nation's top bench.

### Trump Fires Acting AG For Defiance On Immigration Ban

President Donald Trump removed Acting Attorney General Sally Yates from her role and replaced her with U.S. Attorney Dana Boente Monday night, saying Yates "betrayed" the U.S. Department of Justice by instructing officials to avoid defending an executive order banning travel from predominantly Muslim countries.

### Trump Signs 'One In, Two Out' Order On Rulemaking

The reach of federal regulations could soon be sharply curtailed, as President Donald Trump on Monday morning signed an executive order that requires two regulations be nixed for each new rule passed, potentially grinding future rules to a halt this year.

#### Analysis

### BigLaw Springs Into Action Following Immigration Ban

Attorneys from a number of BigLaw firms over the weekend rushed to the aid of immigrants and refugees attempting to enter the U.S. following President Donald Trump's Friday executive order suspending immigration from seven predominantly Muslim countries and temporarily halting the nation's refugee program.

### Senate Dems Win Delay In Mnuchin Committee Vote

The Senate Finance Committee on Monday delayed a vote on President Donald Trump's treasury secretary nominee, Steven Mnuchin, amid reports that the former banker at the very least misled senators about robo-signing practices at the bank he formerly led.

#### Analysis

### Broadband Infrastructure Momentum Likely To Keep Building

Signals of bipartisan support on Capitol Hill and an early focus on the "digital divide" by newly named Federal Communications Commission Chairman Ajit Pai all point to broadband infrastructure as a possible area of consensus in the new administration, experts say.

#### Analysis

### Major NLRB Shift Is Ways Off Despite Republican Chair Nod

Last week, President Donald Trump chose Philip A. Miscimarra as acting chair of the National Labor Relations Board, a member whose dissents from the Obama board's Democratic majority should give the management side hope after years of labor-friendly rulings, but experts say a major shift won't come until the board's Democratic 2-1 split is flipped.

#### Analysis

## LAW FIRMS

Akeel & Valentine  
Akerman  
Amin Talati  
Arent Fox  
Baldwin Crocker  
Ballard Spahr  
Boies Schiller  
Broad and Cassel  
Brown Rudnick  
Carlton Fields  
Chadbourne & Parke  
Cotchett Pitre  
Crary Buchanan  
Dewey & LeBoeuf  
Epstein Becker Green  
Faegre Baker  
Fennemore Craig  
Fletcher Heald  
Foley & Lardner  
Foley Hoag  
Ford & Harrison  
Gibson Dunn  
Graham & Dunn  
Gunster  
Hogan Lovells  
Holland & Knight  
Hooper Lundy  
Houthoff Buruma  
Hughes Hubbard  
Hyman Phelps  
Jenner & Block  
Jones Day  
Keller and Heckman  
King & Spalding  
Kirkland & Ellis  
Latham & Watkins  
Littler Mendelson  
Lowenstein Sandler  
Mayer Brown

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## Health Reg Rollback Will Hinge On Trump Order's Vagueness

President Donald Trump's executive order that federal agencies offset new regulations by repealing others indicates that the health sector can expect less government oversight, although attorneys say just how much less will depend greatly on how the order's ambiguous language is applied.

### Analysis

## Trump Reg Order Hammers Home Employment Policy Shift

Trump's executive order on Monday directing federal agencies to nix two regulations for every one they implement is part of a broader shift in employment policy that will put employers' least favorite Obama-era regulations in the immediate crosshairs while slowing new regulation to a trickle, experts say.

### Analysis

## FDA, Industry Face Hurdles With Trump Regulatory Overhaul

President Donald Trump's executive order Monday requiring that two regulations be axed for every new one prompted concerns from product liability attorneys that the action could result in unintended consequences, such as increased litigation risk and a lengthier rulemaking process, for industries regulated by agencies like the U.S. Food and Drug Administration.

### Analysis

## Trump's Order On New Regulations Tightens Reins On EPA

President Donald Trump's executive order calling for the elimination of two existing regulations for the creation of every new one underscores his new administration's hostility to rulemaking and makes it much tougher for the U.S. Environmental Protection Agency to advance any rules that aren't required by law, experts say.

### Analysis

## Trump's War On Regs May Complicate Business Tax Planning

President Donald Trump's executive order to repeal two federal regulations for each new one issued makes little sense in the tax arena, where such rules are typically welcomed by businesses as providing certainty, clarity and even cost savings, according to experts who condemned the order as imprecise and ill thought out.

### Analysis

## Clean Energy Developers Fret Over Trump Tax Reform Talk

President Donald J. Trump's recent call to slash corporate tax rates has unnerved renewable energy developers, who fear significant cuts may stymie projects by decreasing the appetite for tax equity investments that have been their financial lifeblood, experts say.

### Analysis

## CFPB May Be Vulnerable To Trump's 'One-In-Two-Out' Rule

Financial regulators are largely exempt from President Donald Trump's Monday "one-in-two-out" executive order on new regulations because they are independent agencies, but the Consumer Financial Protection Bureau could fall under its sway depending on the outcome of litigation over its leadership structure.

### Analysis

## Trump Order May Signal Softer Stance On Lobbyist Loophole

President Trump's executive order on lobbying ethics may hurt BigLaw hiring from the executive branch, experts said, but the changes should also give lobbying firms reason to be optimistic that the administration isn't bent on pushing through legislation to close lobbyist registration loopholes.

## BANKING & SECURITIES

## Nominee For HHS Sec Bought Discounted Biotech Stock

An Australian biotech company confirmed that President Donald Trump's nominee for Secretary of Health and Human Services last year bought stock in an Australian biotech company at a 12 percent discount, which directly contradicts his testimony at

McDermott Will  
Miller Nash  
Morgan Lewis  
Morrison & Foerster  
Ogletree Deakins  
Orrick Herrington  
Paul Hastings  
Perkins Coie  
Reed Smith  
Segal Roitman  
Seyfarth Shaw  
Sidley Austin  
Skadden  
Spiegel & McDiarmid  
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Stoel Rives  
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Thompson Coe  
WilmerHale

### COMPANIES

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Comcast Corporation  
Cray Inc  
DraftKings Inc.  
Dynegy Inc.  
Electronic Frontier Foundation  
Entergy Corporation  
Exelon Corporation  
Exxon Mobil Corporation  
FanDuel Inc.  
Federalist Society  
Florida Bar Association

Senate confirmation hearing that the deal was available to every single investor in the company.

## ENERGY & ENVIRONMENTAL

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### EPA Chief Says Grants Back On Track After Trump Review

The U.S. Environmental Protection Agency's acting head said Friday that its grant program, which had been under review by the administration of President Donald Trump, is now back up and running.

### Tillerson Won't Have To Testify In Kids' Climate Suit

An Oregon magistrate judge on Friday rejected a bid to depose U.S. Secretary of State nominee and former Exxon Mobil Corp. CEO Rex Tillerson in a suit accusing the federal government of failing to protect future generations from climate change, saying that he isn't obligated to testify because he no longer works in the oil industry.

### Trump Will Exit Paris Climate Deal, Ex-Transition Aide Says

President Donald J. Trump will pull the U.S. out of the landmark global climate change agreement brokered in Paris in 2015, the former head of Trump's transition team for the U.S. Environmental Protection Agency said Monday.

### DOE Pauses Whistleblower Protection Rule For Trump Review

The U.S. Department of Energy pumped the breaks Monday on a final rule clarifying its ability to impose civil penalties against contractors retaliating against workers who report dangerous workplace conditions and other nuclear safety violations, pending the Trump administration's broader pause on, and review of, all new regulations.

### No Proof NY Nuke Plant Subsidies Flout Feds, State Says

New York state utility regulators told a federal judge Friday that power providers and energy groups challenging the state's plan to subsidize three struggling nuclear power plants as part of its clean-energy program haven't shown any evidence that the plan is federally preempted.

## HEALTH & LIFE SCIENCES

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### Analysis

#### IP, Pharma Groups Call For Patent Eligibility Law Overhaul

Citing the confusion caused by recent court rulings on patent-eligibility, major intellectual property and pharmaceutical industry groups have suggested to the U.S. Patent and Trademark Office that the time has come for Congress to rewrite the law on what can and cannot be patented.

### San Francisco Says Archdiocese Owes \$3M In Health Costs

The city of San Francisco says its local Roman Catholic Archdiocese has not complied with an ordinance requiring employers to help pay for their workers' health care coverage, saying the church owes nearly \$3 million for more than 1,000 workers over a seven-year period.

## MEDIA & ENTERTAINMENT

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### NJ Lawmakers Advance Bill On Fantasy Sports Regulation

A New Jersey Assembly panel on Monday advanced a bill that would regulate fantasy sports games, a measure lawmakers say will increase consumer protections and generate an estimated \$1 million for the state each year.

## TRANSPORTATION & INFRASTRUCTURE

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### FAA, Santa Monica Settle Airport Land Title Row

International Brotherhood of Electrical Workers  
JPMorgan Chase & Co.  
LexisNexis Group  
Lockheed Martin  
NFL Enterprises LLC  
NRG Energy Inc.  
National Association of Manufacturers  
New York Times Co.  
New York University  
Newegg Inc.  
OneWest Bank Group LLC  
Overstock.com Inc.  
PHH Corporation  
Pfizer Inc.  
PhRMA  
Reed Elsevier  
SIFMA  
Sierra Club  
Talen Energy Corp.  
The Boeing Company  
Twitter Inc.  
U.S. Bancorp  
U.S. Chamber of Commerce  
United States Telecom Association  
Verizon Communications  
Wayfair LLC

## GOVERNMENT AGENCIES

Bureau of Indian Affairs  
Bureau of Safety and Environmental Enforcement  
California Environmental Protection Agency  
Central Intelligence Agency  
Consumer Financial Protection Bureau  
Eastern Shoshone Tribe  
Equal Employment Opportunity Commission  
Executive Office of the President  
Federal Aviation Administration  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Reserve System  
Federal Trade Commission  
Florida Department of Revenue  
Florida House of Representatives  
Florida State Senate

CLV001006



The Federal Aviation Administration and Santa Monica, California, have settled a yearslong land title dispute over control of the Santa Monica Airport, reaching a deal on Saturday that keeps the airport open until the end of 2028, after which the city can close it and turn it into a park.

## EMPLOYMENT

### Biz Groups Ask Senate To Back Labor Secretary Nominee

The Competitive Enterprise Institute, a free market think tank, led a coalition of 17 business advocacy groups on Monday in urging two key senators on the labor committee to confirm labor secretary nominee Andrew Puzder, saying that his blend of business experience and anti-regulatory policy positions will spur job growth.

### Business Groups Mischaracterizing Fiduciary Rule, DOL Says

The U.S. Department of Labor is backing its controversial fiduciary rule for retirement account advisers, saying in Texas federal court that business groups' opposition to the rule "mischaracterizes" the department's rulemaking and guidance.

### Mass. Can't Force Sick Time Law On Railroads, 1st Circ. Told

CSX Transportation Inc. and Amtrak told the First Circuit that Massachusetts' paid sick leave law cannot apply to railroad employees given a federal law already regulates this area, insisting Friday that state and federal officials are twisting up the controlling law to force-feed railroads the state law.

## PRODUCT LIABILITY

### 'Remarkable' E-Cig Liquid Law Partly Put Out By 7th Circ.

The Seventh Circuit on Monday struck down as unconstitutional portions of an Indiana law that sought to regulate vapor pen and e-cigarette liquid manufacturers that sell their products in the state, finding that the requirements it placed on out-of-state companies violated the U.S. Constitution's commerce clause.

## GOVERNMENT CONTRACTS

### Trump Says Lockheed Cutting \$600M From F-35 Batch

President Donald Trump said Monday that F-35 manufacturer Lockheed Martin Corp. will shave off roughly \$600 million in costs from its next batch of 90 F-35 jets, implying far more cost savings to come from the Pentagon's most expensive weapons procurement.

### GOP Lawmakers Move To Block Obama 'Blacklist' Rule

Republican lawmakers moved Monday to block implementation of former President Barack Obama's contentious Fair Pay and Safe Workplaces executive order and related guidance — the so-called blacklist rule — which they say unfairly blocks businesses from receiving federal contracts because of unproven labor law violations.

### FieldTurf Faces NJ Lawmakers Over Consumer Allegations

FieldTurf USA Inc.'s top executive on Monday defended allegations that the company knowingly sold defective athletic fields to school districts that eventually sued, telling New Jersey lawmakers probing the issue that the media has inaccurately portrayed the matter.

## INTERNATIONAL TRADE

### US Officially Withdraws From Asia-Pacific Trade Deal

The U.S. formally withdrew from the Trans-Pacific Partnership on Monday, in line

Food and Drug Administration  
Internal Revenue Service  
International Maritime Organization  
International Trade Commission  
NAFTA  
National Aeronautics and Space Administration  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
National Labor Relations Board  
National Railroad Passenger Corporation  
New Jersey Casino Control Commission  
New York Attorney General's Office  
Northern Arapaho Tribe  
Nuclear Regulatory Commission  
Securities and Exchange Commission  
Transportation Security Administration  
U.S. Air Force  
U.S. Coast Guard  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Marine Corps  
U.S. Navy  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court  
United Nations



with an executive order issued by President Donald Trump last week, telling the trade pact's signatories that the country does not intend to become a party to the agreement.

### **State Nominee Tillerson Advances Toward Final Senate Vote**

Rex Tillerson, President Donald Trump's pick to lead the State Department, got over a key Senate hurdle Monday evening, and the body could vote later this week on the nominee to head an agency trying to handle Trump's dramatic shifts on foreign policy since inauguration.

## **TAX**

### **Utah Introduces Bill To Collect Tax On Remote Sales**

With the recent introduction of a bill that would require out-of-state sellers to collect and remit sales and use taxes, Utah has become one of the latest states to defy decades-old U.S. Supreme Court precedent that limits states' ability to collect sales and use taxes from those sellers.

### **Fla. Out-Of-State Sales Tax Could Cause Chaos, Justices Told**

Contrary to Florida's argument that its taxing of out-of-state deliveries by a Florida-based online flower retailer is a "long-standing and widespread practice" without conflicting legal opinions, the company told the U.S. Supreme Court the tax conflicts with its own precedent and poses a danger.

## **BANKRUPTCY**

### **Puerto Rico Passes Bill To Pay Part Of \$70B Debt**

Puerto Rico Gov. Ricardo Rossello on Sunday signed a bill that will allow the commonwealth to pay for essential services as well as a portion of its \$70 billion in bond debt, according to media reports.

## **IMMIGRATION**

### **CAIR Sues Over Trump's Immigration Ban Executive Order**

The Council on American-Islamic Relations on Monday in Virginia federal court challenged the constitutionality and blasted the "vulgar animosity" of President Donald Trump's executive order banning travel from seven predominantly Muslim nations and refugees from war-torn Syria.

### **State Department Diplomats Challenge Immigration Ban**

A group of foreign service officers and consular employees are officially challenging President Donald Trump's immigration ban, saying in a formal dissent through a U.S. Department of State channel circulated on Monday that the recent executive order dangerously ignores multiagency cooperative solutions.

### **Obama, Other Dems Criticize Trump's Immigration Ban**

Former President Barack Obama on Monday released a statement Monday supporting the recent wave of protests while expressing fundamental disagreement with faith-based discrimination, the most prominent of several Democratic voices of opposition in the wake of Friday's executive order that restricted the nation's immigrant and refugee policies.

## **NATIVE AMERICAN**

### **Feds Fight Arapaho Contract Claims In Shoshone Row**

The federal government on Friday shot back at the Northern Arapaho Tribe's claim that the Bureau of Indian Affairs improperly rejected proposals to operate a tribal

court and offer counseling services under federally funded contracts, saying the tribe has submitted proposals for contracts without seeking the consent of another tribe that shares its Wyoming reservation.

## TELECOMMUNICATIONS

### **New FCC Urged To Halt Broadband Privacy Rules**

The Federal Communications Commission must hold off on applying privacy rules passed in the twilight of the Obama administration for broadband providers, until the regulator resolves their challenges seeking to undo the new requirements, trade groups said Friday.

### **New FCC Yanks Business Data Plan From Consideration**

The newly Republican-controlled Federal Communications Commission on Friday at least temporarily pulled a plan to reform the business data services market and apply rate caps, a plan criticized by now-FCC Chairman Ajit Pai as "regulatory overreach."

### **FCC Republicans Push Small Biz Transparency Rule Relief**

The two Republicans who now make up a majority at the Federal Communications Commission have voted to waive temporarily stepped-up transparency requirements for small businesses with 250,000 or fewer subscribers, the new chairman said Friday, though the item remains pending awaiting a vote from the FCC's lone remaining Democrat.

### **FCC's Pai Drops Plan To Unlock Set-Top Boxes**

New Federal Communications Commission Chairman Ajit Pai has stripped his predecessor's proposal to "unlock" consumer set-top boxes to competition from a list of items awaiting a vote, removing the plan from FCC consideration.

## PEOPLE

### **Fla. Senate President Leaves Gunster To Avoid Conflicts**

Florida Senate President Joe Negron has resigned from his position with the law firm Gunster to avoid any possible perception of a conflict of interest with his legislative duties, Negron and the firm said Monday.

## EXPERT ANALYSIS

### **Maritime Cybersecurity Regulation On The Horizon: Part 1**

Energy is one of the industries most targeted by cyberattacks. Now, maritime operations are emerging as the next frontier for cybersecurity regulation affecting the energy sector. Congress, federal agencies and international organizations are pushing cybersecurity measures for ships, ports, terminals and offshore facilities. The energy industry must prepare for regulations in this area, say attorneys from King & Spalding LLP.

### **FDA Memo Does Not Simplify 1st Amendment Considerations**

The U.S. Food and Drug Administration's new memorandum addressing the First Amendment and its re-examination of FDA rules and policies does little more than set out information that was already publicly available, says Diane Lifton of Hughes Hubbard & Reed LLP.

### **Calif. Forges Ahead With Sweeping Climate Change Regs**

California's new "2017 Climate Change Scoping Plan Update" proposes a 10-year extension of the state's carbon cap-and-trade program, in addition to new greenhouse gas emission regulations aimed at the refinery sector. But confronted with a pending lawsuit and linkage obstacles with other carbon trading systems, the Golden State's cap-and-trade program is not without its own challenges, say

attorneys at Morrison & Foerster LLP.

### **What To Know About New HHS OIG Exclusion Regs**

The U.S. Department of Health and Human Services' Office of Inspector General recently updated its exclusion regulations. The final rule shows that the OIG continues to evaluate and update its enforcement authorities with an eye toward increased affirmative enforcement actions, but that it is also willing to make practical changes to its enforcement policies, say Judith Waltz and Jill Wright of Foley & Lardner LLP.

### **A Look At New EPA Composite Wood Formaldehyde Limits**

Last month, the U.S. Environmental Protection Agency published the final Formaldehyde Standards For Composite Wood Products Rule. The Trump administration has postponed the effective date of the rule, creating the potential that it will be amended or further delayed. But many in the industry are looking forward to a consistent national standard, say attorneys from Latham & Watkins LLP.

#### **Opinion**

### **Love And Law In The Age Of Trump**

Love is not a subject that lawyers typically devote themselves to professionally. But as we witness this historic transition to a new administration, lawyers in particular are reminded that love is tied, however imperfectly, to our cherished founding ideals, says Kevin Curnin, president of the Association of Pro Bono Counsel.

## **LEGAL INDUSTRY**

### **Legal Tech Download: AI On The March**

The world of legal technology is quickly evolving, with new products aimed at aiding lawyers coming to market in rapid succession. Here, Law360 takes a look at seven major recent developments in legal tech.

### **Dewey Trustee Relents On Bid To Destroy Records**

The liquidation trust for bankrupt megafirm Dewey & LeBoeuf told a New York bankruptcy judge on Monday that it had reached détente with the U.S. Securities and Exchange Commission and the New York County District Attorney over its proposal to destroy all Dewey records as part of a motion to close the Chapter 11 case.

#### **JOBS**

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[Morrison & Foerster](#)  
[Orrick Herrington](#)  
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Boies Schiller  
Broad and Cassel  
Brown Rudnick  
Carlton Fields  
Chadbourne & Parke  
Cotchett Pitre  
Crary Buchanan  
Dewey & LeBoeuf  
Faegre Baker  
Fennemore Craig  
Fletcher Heald  
Foley Hoag  
Ford & Harrison  
Gibson Dunn  
Graham & Dunn  
Gunster  
Holland & Knight  
Hooper Lundy  
Houthoff Buruma  
Hughes Hubbard  
Hyman Phelps  
Jenner & Block  
Jones Day  
Keller and Heckman  
King & Spalding  
Kirkland & Ellis  
Littler Mendelson  
Lowenstein Sandler  
McDermott Will  
Miller Nash  
Morgan Lewis  
Ogletree Deakins  
Paul Hastings  
Perkins Coie  
Segal Roitman  
Spiegel & McDiarmid  
Steptoe & Johnson LLP  
Stoel Rives  
Strasburger & Price  
Stroock & Stroock  
Thompson Coe  
WilmerHale

#### COMPANIES

American Civil Liberties Union  
Twitter Inc.  
American Bar Association  
Exxon Mobil Corporation  
Sierra Club  
U.S. Chamber of Commerce

Verizon Communications  
AT&T Inc.  
Amazon.com Inc.  
American Cable Association  
American Hospital Association  
American Immigration Lawyers Association  
American Intellectual Property Law Association  
American Petroleum Institute Inc.  
Argus Media Ltd.  
Associated Press  
Bank of America Corporation  
CKE Restaurants, Inc.  
CSX Corporation  
Charter Communications Inc.  
Citizens for Responsibility and Ethics in Washington  
Comcast Corporation  
Cray Inc  
DraftKings Inc.  
Dynegy Inc.  
Electronic Frontier Foundation  
Entergy Corporation  
Exelon Corporation  
FanDuel Inc.  
Federalist Society  
Florida Bar Association  
International Brotherhood of Electrical Workers  
JPMorgan Chase & Co.  
LexisNexis Group  
Lockheed Martin  
NFL Enterprises LLC  
NRG Energy Inc.  
National Association of Manufacturers  
New York Times Co.  
New York University  
Newegg Inc.  
OneWest Bank Group LLC  
Overstock.com Inc.  
PHH Corporation  
Pfizer Inc.  
PhRMA  
Reed Elsevier  
SIFMA  
Talen Energy Corp.  
The Boeing Company  
U.S. Bancorp  
United States Telecom Association  
Wayfair LLC

**GOVERNMENT AGENCIES**

Executive Office of the President  
U.S. Department of Justice

U.S. Supreme Court  
Federal Communications Commission  
U.S. Environmental Protection Agency  
Food and Drug Administration  
Securities and Exchange Commission  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Labor  
Federal Energy Regulatory Commission  
Federal Trade Commission  
National Institute of Standards and Technology  
New York Attorney General's Office  
U.S. Department of Energy  
U.S. Department of State  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Senate  
United Nations  
Bureau of Indian Affairs  
Bureau of Safety and Environmental Enforcement  
California Environmental Protection Agency  
Central Intelligence Agency  
Consumer Financial Protection Bureau  
Eastern Shoshone Tribe  
Equal Employment Opportunity Commission  
Federal Aviation Administration  
Federal Deposit Insurance Corp.  
Federal Reserve System  
Florida Department of Revenue  
Florida House of Representatives  
Florida State Senate  
Internal Revenue Service  
International Maritime Organization  
International Trade Commission  
NAFTA  
National Aeronautics and Space Administration  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Railroad Passenger Corporation  
New Jersey Casino Control Commission  
Northern Arapaho Tribe  
Nuclear Regulatory Commission  
Transportation Security Administration  
U.S. Air Force  
U.S. Coast Guard  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. House of Representatives  
U.S. Marine Corps  
U.S. Navy  
U.S. Patent and Trademark Office

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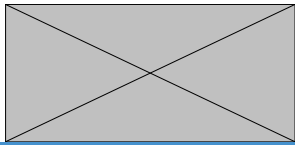
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**Subject:** [Marketing Mail] Meet Trump's Picks For The Federal Appellate Bench



**PUBLIC POLICY.**

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Thursday, June 8, 2017

## TOP NEWS

### Analysis

#### Meet Trump's Picks For The Federal Appellate Bench

President Donald Trump's judicial nominations on Wednesday brought three federal appeals candidates into the spotlight, including a member of the president's shortlist for the U.S. Supreme Court, a judge who oversaw a massive challenge to the Clean Water Act, and one of the lawyers behind the high court's limitation of laches as an intellectual property defense. [Read more »](#)

#### Trump Taps 11 For Federal Bench In Bid To Reshape Courts

President Donald Trump announced his latest batch of picks for the federal bench Wednesday, including three for appellate courts. [Read more »](#)

### Analysis

#### New Justice Settlement Guidelines Could Lower Bank Payouts

A shift in U.S. Department of Justice policy announced Wednesday that would bar proceeds from settlements to be sent to community groups and other third-party institutions could lead to smaller payouts from banks and other companies, experts say. [Read more »](#)

#### Comey To Testify Trump Asked FBI To 'Let Flynn Go'

Former FBI Director James Comey is set to testify on Thursday that President Donald Trump asked for his personal loyalty and that he drop the investigation into former National Security Adviser ret. Gen. Michael Flynn, according to an opening statement released Wednesday. [Read more »](#)

### Analysis

#### Green Bonds Likely To Blossom Despite Paris Accord Fallout

President Donald Trump's call to withdraw the U.S. from the Paris climate agreement won't dampen the outlook for green bonds, experts say, noting that momentum for this nascent but growing segment of debt capital markets is gaining steam independently of the accord. [Read more »](#)

### Analysis

#### Trump's FBI Pick Known As 'Adult In The Room'

In King & Spalding partner Christopher Wray, former colleagues say, the White House has tapped a serious and discreet attorney who worked with former FBI Directors James Comey and Robert Mueller, and who one former colleague said is "always the adult in the room." [Read more »](#)

### Analysis

## LAW FIRMS

Archer & Greiner  
Arnold & Porter Kaye Scholer  
Baker Botts  
Baker McKenzie  
Bell Nunnally  
Berger Singerman  
Bird & Bird  
Blank Rome  
Bryan Cave  
Curtin & Heefner  
Dillon McCandless  
Earthjustice  
Fox Rothschild  
Frankfurt Kurnit  
Frost Brown Todd  
Gibbons PC  
Gibson Dunn  
GrayRobinson  
Hinshaw & Culbertson  
Hogan Lovells  
Holland & Knight  
Husch Blackwell  
King & Spalding  
Kirkland & Ellis  
Konicek & Dillon  
Latham & Watkins  
Marashlian & Donahue  
Mayer Brown  
McCarter & English  
McDonnell Boehnen  
McKool Smith  
Morgan Lewis  
Motley Rice

CLV001015



## New Int'l Tax Rules May Affect US Cos.' Treaty Benefits

The U.S. has decided not to join a historic multilateral tax agreement among 76 countries to deter tax avoidance, but this does not mean that American multinational businesses won't be affected by changes to existing treaty provisions in other countries. [Read more »](#)

## DOL Yanks Joint Employer, Classification Guidance

The U.S. Department of Labor said Wednesday that it is withdrawing two guidance letters issued during the Obama administration that sought to limit the misclassification of workers and expressed a desire for tighter standards for determining joint employment. [Read more »](#)

## King & Spalding Partner Named As New FBI Chief

President Donald Trump said via Twitter Wednesday that he will nominate King & Spalding LLP partner Christopher A. Wray, a former Bush administration lawyer who later represented New Jersey Gov. Chris Christie during the Bridgegate scandal, to become the next director of the FBI after firing former director James Comey in a high-profile episode nearly a month ago. [Read more »](#)

## Senate Moves Forward On Iran Sanctions Bill

The U.S. Senate on Wednesday voted overwhelmingly to proceed with a bill to impose new sanctions on Iran after recent ballistic missile tests, legislation that lawmakers said is also likely to include further sanctions against Russia for its efforts to interfere in the 2016 presidential election. [Read more »](#)

## BANKING & SECURITIES

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### Analysis

#### SEC Muddies Fiduciary Rule Waters With Comment Request

U.S. Securities and Exchange Commission Chair Jay Clayton waded into the debate over the U.S. Department of Labor's fiduciary rule last week by requesting input on how his agency should approach a standard of its own, but experts said such a collaboration could provide an excuse for further delay. [Read more »](#)

#### GOP Says Choice Act Key To Broader Regulatory Agenda

Republican leaders in the U.S. House of Representatives on Wednesday said that the so-called Financial Choice Act, a bill that would essentially repeal and replace much of the Dodd-Frank Act and is up for a floor vote later this week, is the centerpiece of their deregulatory agenda. [Read more »](#)

#### Deutsche, SVB, UBS Get Time For Volcker Rule Compliance

The Federal Reserve announced Wednesday that it granted Deutsche Bank AG, SVB Financial Group and UBS Group AG an extra five years to comply with fund requirements set by the Volcker Rule, which banned banks' proprietary trading under the 2010 Dodd-Frank Act. [Read more »](#)

#### CFPB Stymieing House Wells Fargo Probe, GOP Staff Says

A Tuesday report from the House Financial Services Committee's Republican staff said the committee should bring contempt of Congress charges against the Consumer Financial Protection Bureau's director for failing to respond to document requests, including a subpoena, related to the Wells Fargo & Co. account scandal. [Read more »](#)

## ENERGY & ENVIRONMENTAL

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#### Calif., China Ink Climate Deal After Trump's Paris Exit

China and California signed an agreement Tuesday to work together on reducing emissions and to spur greater clean technology cooperation after President Donald Trump's announcement that the U.S. will pull out of the Paris climate change agreement. [Read more »](#)

Nutter McClennen  
Olivares  
Pepper Hamilton  
Polsinelli  
Prickett Jones  
Ropes & Gray  
Seyfarth Shaw  
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Sheppard Mullin  
Shulman Rogers  
Skadden  
Stroock & Stroock  
Sullivan & Cromwell  
Togut Segal  
Weil Gotshal  
White & Case  
WilmerHale  
Womble Carlyle  
Wright & Close LLP

### COMPANIES

American Bar Association  
American Council of Life Insurers  
American Immigration Lawyers Association  
Apple Inc.  
Applebee's International Inc.  
Associated Press  
BAE Systems  
Bank of America Corporation  
Center for Science in the Public Interest  
Citigroup Inc.  
Consumer Federation of America  
Cox Communications Inc.  
Credit Suisse Group AG  
Delaware Riverkeeper Network  
Deutsche Bank AG  
Expedia Inc.  
FedEx Corporation  
Federalist Society  
Google Inc.  
Innospec Inc.  
International Centre for Settlement of Investment Disputes  
Lockheed Martin  
Los Angeles Times  
Lowe's Companies, Inc.  
Lyft Inc.  
MGM Resorts International  
Macy's Inc.  
Metro-Goldwyn-Mayer Studios Inc.

CLV001016

## Hawaii First To Pass Laws Committing To Paris Accord Goals

Hawaii became the first state on Tuesday to pass legislation implementing parts of the Paris climate change agreement in the wake of President Donald Trump's announcement that the U.S. will withdraw from it, according to Gov. David Ige. [Read more »](#)

## EPA Extends Compliance Deadline For Smog Standards

The U.S. Environmental Protection Agency on Tuesday said it is extending the deadline by which states must report whether local areas meet ozone standards set in 2015. [Read more »](#)

## Sens. Press Perry Not To Sell Off DOE Transmission Assets

A bipartisan group of senators told Energy Secretary Rick Perry on Wednesday they oppose a plan to privatize transmission assets used to send power from federally owned dams to utilities and rural co-ops in 34 states, arguing it would needlessly jettison money-making assets and cause rate hikes. [Read more »](#)

## Pa. Appeals Court Axes Local Drilling Ordinance Challenge

A Pennsylvania appeals court agreed Wednesday that a recently enacted ordinance allowing oil and gas drilling in residential areas of a Butler County municipality withstood scrutiny because the pre-existing zoning code had already allowed construction of substantially similar public utility structures. [Read more »](#)

## Interior Department To Review Sage-Grouse Agreement

Interior Secretary Ryan Zinke said Wednesday he is ordering his agency to review and possibly modify an Obama-era plan to protect the greater sage-grouse across its 11-state range in the West, citing the Trump administration's push for energy development. [Read more »](#)

## HEALTH & LIFE SCIENCES

### FDA Sued Over Nutrition Labeling Rule Delay

The U.S. Food and Drug Administration acted unlawfully by issuing a one-year delay of an Affordable Care Act policy requiring chain restaurants and food sellers to disclose nutritional information, according to a lawsuit filed Wednesday in D.C. federal court. [Read more »](#)

### Fla. Legislature Reaches Deal To Address Medical Marijuana

Medical marijuana legalization was added to the agenda as a three-day special session of the Florida Legislature started Wednesday, with the Senate and House having reached a compromise on guidelines for implementing a constitutional amendment that state voters passed in November. [Read more »](#)

## IP & TECHNOLOGY

### USPTO Associate Solicitor Tapped As Interim Chief

Commerce Secretary Wilbur Ross has named U.S. Patent and Trademark Office Associate Solicitor Joseph Matal to lead the USPTO on an interim basis following the departure of former director Michelle Lee, the office announced Wednesday. [Read more »](#)

#### Analysis

### Outgoing USPTO Director Lee Praised For Smooth Tenure

Former U.S. Patent and Trademark Office Director Michelle Lee, who resigned on Tuesday after two years at the helm of the agency, was an effective and fair leader who made the patent office run smoothly and placed a needed focus on patent quality, attorneys say. [Read more »](#)

## MEDIA & ENTERTAINMENT

Mohegan Sun  
Moody's Corporation  
NBCUniversal Inc.  
National Collegiate Athletic Association  
National Employment Law Project  
National Restaurant Association  
National Retail Federation Inc.  
New York Times Co.  
Northrop Grumman Corporation  
Rex Energy Corp.  
Rolls-Royce  
SVB Financial Group  
Sierra Club  
Svenska Cellulosa AB  
The Atlanta Journal-Constitution  
The DIRECTV Group, Inc.  
Toshiba  
Trump Organization Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
UBS AG  
United Nations Commission on International Trade Law  
Valeant Pharmaceuticals International  
Washington Post Co.  
Wells Fargo & Co.  
Westinghouse Electric Corp.

## GOVERNMENT AGENCIES

Ak-Chin Indian Community  
Bonneville Power Administration  
Bureau of Land Management  
California Energy Commission  
California Environmental Protection Agency  
Confederated Tribes and Bands of the Yakama Nation  
Consumer Financial Protection Bureau  
Energy Information Administration  
Equal Employment Opportunity Commission  
European Commission  
European Union  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission

CLV001017

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## NJ Makes Final Pitch For High Court Sports Betting Review

New Jersey and a thoroughbred group made a last-ditch effort Tuesday to convince the U.S. Supreme Court to review whether a federal law prohibiting state authorization of sports betting can prevent New Jersey from repealing its laws banning the practice, after the acting U.S. solicitor general told the justices the challenge was not worth their time. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

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### House Dems Tout New FAA Bill, Reject Air Traffic Overhaul

Democrats on the U.S. House Transportation and Infrastructure Committee introduced legislation Wednesday to give the Federal Aviation Administration more stable funding while rejecting Republican-led efforts to spin off air traffic control functions from the government, just days after President Donald Trump backed an overhaul of the system. [Read more »](#)

### Philly Taxi Operators Keep Cruising In Uber Regulation Suit

More than 300 Philadelphia taxicab operators have plausibly shown their constitutional rights were violated when the city's parking authority refused to regulate ride-hailing services such as Uber and Lyft, a Pennsylvania federal judge said Tuesday. [Read more »](#)

## EMPLOYMENT

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### DOL Looking To Revise Fiduciary, OT Rules: Labor Secretary

The U.S. Department of Labor has taken the first step toward revising its fiduciary rule for retirement advisers and will soon do the same for its overtime rule, Labor Secretary Alexander Acosta told a House appropriations subcommittee Wednesday in wide-ranging testimony on the agency's proposed fiscal year 2018 budget. [Read more »](#)

## PRIVACY & CONSUMER PROTECTION

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### Intel Officials Don't Answer Queries On Trump Conversations

Leaders of President Donald Trump's intelligence agencies frustrated a Senate panel's questions Wednesday, refusing to respond to media reports that Trump asked them to intercede into an FBI probe into Russian election interference. [Read more »](#)

## AEROSPACE & DEFENSE

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### Trump Taps Lockheed Exec For Army's No. 2 Spot

President Donald Trump intends to nominate a Lockheed Martin executive who is an ex-Army Ranger as undersecretary of the Army, a pick who could find himself in the service's top spot until a new secretary is found. [Read more »](#)

### EU Launches €5.5 Billion Defense Fund

The European Union launched a €5.5 billion (\$6.19 billion) annual defense fund to coordinate security spending among member-states, the European Commission announced Wednesday. [Read more »](#)

### Reps. Float Bill To Eliminate Kingdomware 'Loophole' For VA

A bipartisan pair of lawmakers introduced a bill Wednesday to close a purported loophole that wrongly lets the U.S. Department of Veterans Affairs get around its requirement, under the Kingdomware precedent, to give preference to veteran-owned small businesses in acquisitions by using non-VA contract vehicles. [Read more »](#)

Federal Reserve System  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Gila River Indian Community  
Hopi Tribe  
House of Commons of the United Kingdom  
Illinois General Assembly  
Internal Revenue Service  
Judicial Conference of the United States  
Mashantucket Pequot Tribal Nation  
Mohegan Tribe  
NAFTA  
NATO  
National Labor Relations Board  
National Security Agency  
Navajo Nation  
Neighborhood Reinvestment Corp.  
New York Attorney General's Office  
Office of Federal Contract Compliance Programs  
Office of the Comptroller of the Currency  
Pueblo of Zuni  
Securities and Exchange Commission  
Serious Fraud Office  
Southwestern Power Administration  
Texas State Senate  
Three Affiliated Tribes of the Fort Berthold Reservation  
U.S. Customs and Border Protection  
U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement

## GOVERNMENT CONTRACTS

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### Sessions Stops 3rd-Party Donation Settlements

Attorney General Jeff Sessions on Wednesday issued a memo prohibiting U.S. attorneys' offices from requiring defendants to make donations to unrelated third parties as a condition of settlements in federal cases. [Read more »](#)

### Trump Says Wine Bar Can't Delay Dismissal Hurdle

President Donald Trump told a D.C. federal court Wednesday that a wine bar can't delay a decision on his bid to toss an unfair competition case in order to determine which venue has jurisdiction to hear it in the first place, arguing the absolute immunity granting presidents protection from liability ensures cases can't drag on and become a distraction. [Read more »](#)

### Whistleblower Says Ex-Speaker's Sanctions Bid Too Late

A whistleblower who filed a since-tossed qui tam suit against former U.S. House Speaker Dennis Hastert for alleged misuse of government funds asked an Illinois federal court Tuesday to deny Hastert's bid for attorneys' fees and sanctions, saying the request was too late and the suit was not frivolous. [Read more »](#)

## INTERNATIONAL TRADE

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### US Sugar Cos. Not Sweet On Trade Deal With Mexico

The Trump administration and its Mexican counterparts touted a new preliminary agreement to restore order to bilateral sugar trade Tuesday, but U.S. producers and refiners were reluctant to embrace the deal in light of a "loophole" they fear could leave them with the short end of the stick. [Read more »](#)

### Experts Outline Keys To A New Int'l Investment Court

Two prominent arbitrators have laid out core issues facing an effort to establish a new multilateral investment court amid increasing frustration with current frameworks for resolving investor-state disputes, part of a broader push for a system that supplants bilateral investment treaties. [Read more »](#)

## TAX

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### Hatch Says He Won't Take Border-Adjusted Tax Off The Table

Senate Finance Committee Chairman Orrin Hatch, R-Utah, on Wednesday said that although congressional Republicans and the White House are generally in agreement on a tax overhaul plan, he isn't ruling out one of the more controversial aspects — a proposal to exempt exports, but not imports, from taxation. [Read more »](#)

## BANKRUPTCY

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### Westinghouse Asset Sale Could Prompt CFIUS Review: Feds

Federal attorneys told a New York bankruptcy court this week that certain transactions involving the sale of nuclear energy behemoth Westinghouse or its assets to foreign entities could be subject to review by U.S. officials and ultimately rejected by President Donald Trump, who has taken hard stances on trade issues. [Read more »](#)

## IMMIGRATION

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### Trump Wants San Francisco's Sanctuary City Fight Tossed

The Trump administration on Tuesday urged a California federal court to toss San

U.S. Navy  
U.S. Office Of Special Counsel  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Sentencing Commission  
U.S. Supreme Court  
United Nations  
Wage and Hour Division  
Western Area Power  
Administration

Francisco's challenge to its "sanctuary cities" executive order, arguing that the city has failed to lay out a viable claim that the order would violate the U.S. Constitution. [Read more »](#)

### **House Passes Polygraph Waiver For Border Patrol Agents**

The U.S. House of Representatives on Wednesday passed a bill aimed at addressing staffing shortages at U.S. Customs and Border Protection that would allow the agency to bypass a lie-detector test for certain applicants who already have law enforcement or military experience. [Read more »](#)

### **Immigration Attys Ax Texas Meeting Over Sanctuary City Law**

In response to a Texas law that the head of the American Immigration Lawyers Association says undermines due process and scapegoats immigrants, the group is canceling its plans to hold its 2018 annual conference in the state, it announced Wednesday. [Read more »](#)

## **NATIVE AMERICAN**

### **Conn. Bill Backing Tribes' 3rd Casino Heads To Governor**

Connecticut's House of Representatives sent a bill to Gov. Dannel Malloy on Wednesday that would allow the tribes behind the Foxwoods Resort and Mohegan Sun to open a \$300 million third casino in the state. [Read more »](#)

## **TELECOMMUNICATIONS**

### **Top 5 Groups Lobbying The FCC**

Net neutrality continues to make headlines and draw millions of Federal Communications Commission comments, but the top organizations and companies lobbying the FCC have also been focused on other issues, such as the video relay service and fund for rural deployment. Here are the top five groups lobbying the FCC. [Read more »](#)

### **FCC Security Advised On Dealing With Press After Incident**

The Federal Communications Commission is providing counseling to its security team on how to interact with journalists following an incident in which a reporter alleges that guards pinned him against a wall following a commission meeting last month, Chairman Ajit Pai has said. [Read more »](#)

## **PEOPLE**

### **Del. Senate Confirms Supreme Court Nominee Gary Traynor**

Delaware Supreme Court nominee Gary F. Traynor won swift and unanimous state Senate confirmation Wednesday after a short series of questions on a long and relatively winding legal career. [Read more »](#)

## **EXPERT ANALYSIS**

### **DOL Independent Contractor Landscape Likely Won't Change**

U.S. Department of Labor Secretary Alexander Acosta's announcement Wednesday to withdraw the DOL's formal guidance on joint employment and independent contractors is likely to be portrayed by many as a major shift in the agency's enforcement position. However, it's unlikely to change the legal landscape of independent contractor misclassification, says Richard Reibstein of Pepper Hamilton LLP. [Read more »](#)

### **Trump's Monuments Order Won't Benefit Tribal Economies**

President Donald Trump's executive order mandating the review of national



monuments with the goal of opening public lands to mineral development could provide some economic benefits, but history has shown that most mineral development booms are followed by inevitable busts, says professor Hillary Hoffmann of Vermont Law School. [Read more »](#)

### **What Ill. Sanctuary City Bill Means For Local Gov'ts**

Last week the Illinois General Assembly passed the Illinois Trust Act, a statewide sanctuary jurisdiction bill. If signed into law, it would have broad implications for the state's local governments and could play a role in the larger sanctuary discourse playing out in Congress, the executive branch and the federal courts, say attorneys with Holland & Knight LLP. [Read more »](#)

### **Suffering Withdrawal: The Post-Paris Energy Outlook**

The Trump administration's withdrawal from the Paris climate accord has not deterred a number of U.S. states, municipalities and technology companies from moving ahead with clean energy initiatives and project developments. However, in a globally competitive environment, the absence of government support for new technologies and industries could have substantial commercial consequences, says James Hoecker of Husch Blackwell LLP. [Read more »](#)

### **Questions About Concerning SEC's Administrative Process**

While the question — considered again in May by the D.C. Circuit — of whether the U.S. Securities and Exchange Commission's in-house administrative law judges must be constitutionally appointed has split the federal circuits, another issue looms large: Will the administrative process ever be fair? Bridget Moore and Jonathan Shapiro of Baker Botts LLP look at the big picture. [Read more »](#)

### **In Defense Of Subsuming The Serious Fraud Office**

Last month, the U.K.'s Conservative party announced its intention to incorporate the Serious Fraud Office into the National Crime Agency. There has been no shortage of media comment condemning the proposal, but the time has come to put the SFO's armory alongside the other agency's strengths so that they can tackle problems together, says Jonathan Peddie of Baker & McKenzie LLP. [Read more »](#)

## **LEGAL INDUSTRY**

### **Analysis**

#### **#AppellateTwitter Becomes Internet Hotspot For Legal Nerds**

A spur-of-the-moment tweet from a Texas appellate lawyer a year ago spawned a hashtag that has turned into a vibrant corner of the internet responsible for connecting the country's appellate lawyers, birthing deep friendships and leading to real-life benefits like case referrals. [Read more »](#)

#### **Fla. Federal Court District To See Its 4th Bench Vacancy**

U.S. District Judge Joan Lenard will take senior status on July 1, creating a fourth vacancy on the already short-staffed bench of the Southern District of Florida, the clerk's office confirmed Wednesday. [Read more »](#)

### **Analysis**

#### **Jurors' Anti-Attorney Bias Is More Paranoia Than Fact**

Anti-lawyer bias lurks in the hearts of jurors, so attorneys should think twice before defending a legal malpractice suit all the way to trial, right? Not so fast. While it's axiomatic among many practitioners that jurors aren't inclined to give them a fair shake, experts say that anxiety is often overblown, or simply wrong-headed. [Read more »](#)

#### **Plaintiffs Bar Perspective: Motley Rice's Donald Migliori**

Wait for the overzealous defense lawyer to sell a fact that is easily disproven. That's how you get a jury to stop listening to the defense of the case, says Donald Migliori of Motley Rice LLC. [Read more »](#)

## **JOBS**

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Bell Nunnally  
Berger Singerman  
Bird & Bird  
Blank Rome  
Bryan Cave  
Curtin & Heefner  
Dillon McCandless  
Earthjustice  
Fox Rothschild  
Frankfurt Kurnit  
Gibbons PC  
Gibson Dunn  
GrayRobinson  
Hinshaw & Culbertson  
Hogan Lovells  
Holland & Knight  
Husch Blackwell  
Kirkland & Ellis  
Konicek & Dillon  
Latham & Watkins  
Marashlian & Donahue  
Mayer Brown  
McDonnell Boehnen  
McKool Smith  
Morgan Lewis  
Motley Rice  
Nutter McClennen  
Olivares  
Pepper Hamilton  
Polsinelli  
Prickett Jones  
Ropes & Gray  
Seyfarth Shaw  
Shearman & Sterling  
Sheppard Mullin  
Shulman Rogers  
Stroock & Stroock

Sullivan & Cromwell  
Togut Segal  
Weil Gotshal  
White & Case  
Womble Carlyle  
Wright & Close LLP

#### COMPANIES

Deutsche Bank AG  
Google Inc.  
New York Times Co.  
Twitter Inc.  
Washington Post Co.  
American Bar Association  
American Council of Life Insurers  
American Immigration Lawyers Association  
Apple Inc.  
Applebee's International Inc.  
Associated Press  
BAE Systems  
Bank of America Corporation  
Center for Science in the Public Interest  
Citigroup Inc.  
Consumer Federation of America  
Cox Communications Inc.  
Credit Suisse Group AG  
Delaware Riverkeeper Network  
Expedia Inc.  
FedEx Corporation  
Federalist Society  
Innospec Inc.  
International Centre for Settlement of Investment Disputes  
Lockheed Martin  
Los Angeles Times  
Lowe's Companies, Inc.  
Lyft Inc.  
MGM Resorts International  
Macy's Inc.  
Metro-Goldwyn-Mayer Studios Inc.  
Mohegan Sun  
Moody's Corporation  
NBCUniversal Inc.  
National Collegiate Athletic Association  
National Employment Law Project  
National Restaurant Association  
National Retail Federation Inc.  
Northrop Grumman Corporation  
Rex Energy Corp.  
Rolls-Royce  
SVB Financial Group  
Sierra Club



Svenska Cellulosa AB  
The Atlanta Journal-Constitution  
The DIRECTV Group, Inc.  
Toshiba  
Trump Organization Inc.  
U.S. Chamber of Commerce  
UBS AG  
United Nations Commission on International Trade Law  
Valeant Pharmaceuticals International  
Wells Fargo & Co.  
Westinghouse Electric Corp.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Bureau of Investigation  
Executive Office of the President  
U.S. Department of Labor  
Consumer Financial Protection Bureau  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
European Union  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
NATO  
National Labor Relations Board  
National Security Agency  
Securities and Exchange Commission  
U.S. Department of Homeland Security  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Navy  
U.S. Patent and Trademark Office  
United Nations  
Ak-Chin Indian Community  
Bonneville Power Administration  
Bureau of Land Management  
California Energy Commission  
California Environmental Protection Agency  
Confederated Tribes and Bands of the Yakama Nation  
Energy Information Administration  
Equal Employment Opportunity Commission  
European Commission  
Federal Aviation Administration  
Federal Energy Regulatory Commission  
Federal Reserve System  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Gila River Indian Community

Hopi Tribe  
House of Commons of the United Kingdom  
Illinois General Assembly  
Internal Revenue Service  
Judicial Conference of the United States  
Mashantucket Pequot Tribal Nation  
Mohegan Tribe  
NAFTA  
Navajo Nation  
Neighborhood Reinvestment Corp.  
New York Attorney General's Office  
Office of Federal Contract Compliance Programs  
Office of the Comptroller of the Currency  
Pueblo of Zuni  
Serious Fraud Office  
Southwestern Power Administration  
Texas State Senate  
Three Affiliated Tribes of the Fort Berthold Reservation  
U.S. Customs and Border Protection  
U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Veterans Affairs  
U.S. General Services Administration  
U.S. Office Of Special Counsel  
U.S. Sentencing Commission  
Wage and Hour Division  
Western Area Power Administration

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Los Angeles, California

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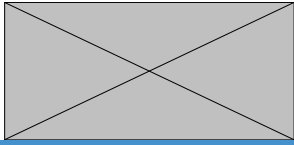
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CLV001025

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 6/6/2018 7:25:26 AM  
**Subject:** Kennedy Ends 'Masterpiece' With LGBT Rights Legacy Intact



**PUBLIC POLICY.**

## Introducing Law360 Tax Authority

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**Wednesday, June 6, 2018**

### TOP NEWS

#### Analysis

#### **Kennedy Ends 'Masterpiece' With LGBT Rights Legacy Intact**

The case of a baker who refused custom cake orders for same-sex weddings on religious grounds was perhaps the biggest test yet of Justice Anthony Kennedy's robust LGBT rights legacy, but after the dust settled on Monday's ruling in favor of the baker, that record remained largely unblemished. [Read more »](#)

#### Analysis

#### **Net Neutrality Sunset Could Boost Online Sports Betting**

As the Federal Communications Commission moves forward with its net neutrality rule deregulation, states are ramping up their sports betting offerings in the wake of a favorable Supreme Court decision. The timing of this convergence is coincidental, but some experts speculate it could contribute to a boom in online sports betting if gamblers are allowed pay for fast-tracked internet service. [Read more »](#)

#### **Senate Confirms Trump's Ky., Texas District Judge Picks**

The Senate Tuesday confirmed new federal trial judges for the first time in weeks by approving President Donald Trump's choices for the Eastern District of Kentucky and the Southern District of Texas. [Read more »](#)

#### **Trump Loses Bid To Slow Down Defamation Suit**

A New York judge again rejected arguments by President Donald Trump on Tuesday to hold off on document requests and depositions in a defamation suit brought by Summer Zervos over his claims that she lied when she accused him of sexual misconduct, giving the parties a year to get the case ready for trial. [Read more »](#)

#### **White House Tinkers With Spending Pullback Plan**

The White House picked at the edges of Congress' proposed spending cuts Tuesday, making some changes to, but mostly standing by, a plan to pull back \$15 billion in already authorized spending for health care, car technology research and other areas. [Read more »](#)

### BANKING & SECURITIES

#### **Divided SEC Approves Proposed Volcker Rule Amendments**

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#### LAW FIRMS

Akin Gump  
Anthony Kennedy PC  
Baker Botts  
Blank Rome  
Bryan Cave  
Cadwalader Wickersham  
Cancio Nadal  
Casellas Alcover  
Cravath Swaine  
Cuti Hecker  
DLA Piper  
Davis Graham  
Debevoise & Plimpton  
Dechert  
Dickstein Shapiro  
Earthjustice  
Gibson Dunn  
Goldman Antonetti  
Greenberg Traurig  
Holland & Hart  
Hueston Hennigan  
Ifrah Law  
Jomarron Lopez  
Kasowitz Benson  
Kramer Levin  
Lawyers' Committee for Civil Rights  
Lewis Brisbois

CLV001026

A deeply divided U.S. Securities and Exchange Commission on Tuesday approved by a 3-2 vote a proposal to amend the so-called Volcker rule that bars banks from trading with their clients' deposits, with supporters saying the proposed changes will streamline and improve the rule, not kill it. [Read more »](#)

### **Advisory Board Members Say CFPB Tuning Them Out**

Nearly a dozen members of the Consumer Financial Protection Bureau's consumer advisory board have accused the agency of repeatedly canceling meetings and otherwise brushing them off since Mick Mulvaney took over as its acting director. [Read more »](#)

### **Dem AGs Urge CFPB To Keep Complaint Database Open**

A coalition of 14 state attorneys general urged the Consumer Financial Protection Bureau on Monday to maintain public access to its consumer complaint database on the financial industry, joining a chorus of lawmakers and enforcers who say the database is vital for spotting problems in the industry. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

### **Trump's Coal, Nuke Bailout Push Has Legal Legs: FERC Chair**

President Donald Trump's controversial call for the U.S. Department of Energy to immediately prop up struggling coal and nuclear power plants has roiled the U.S. electric industry, but Federal Energy Regulatory Commission Chairman Kevin McIntyre said Tuesday that there is valid law on the president's side. [Read more »](#)

### **10th Circ. Greenlights Appeal Of Methane Rule's Stay**

The Tenth Circuit said Monday that California, New Mexico and several conservation groups may continue their appeal of a Wyoming federal judge's stay of the implementation of an Obama-era rule that would put restrictions on natural gas wells on public and tribal lands. [Read more »](#)

## **HEALTH & LIFE SCIENCES**

### **Lawmakers Raise Concerns About HHS Cyber Law Rollout**

Bipartisan members of key House and Senate committees pressed the U.S. Department of Health and Human Services on Tuesday for answers on how the department is implementing a 2015 law intended to encourage government agencies to share cyberthreat data. [Read more »](#)

## **TRANSPORTATION & INFRASTRUCTURE**

### **DOT Rule Opens Transit Projects To More Private Funding**

The U.S. Department of Transportation has finalized a rule that will help the federal government tap into more private investment opportunities for public transit projects, saying Tuesday that the rule is aimed at cutting red tape and incorporating innovative financing tools. [Read more »](#)

## **EMPLOYMENT**

### **GAO Releases Report On \$15.3B Multiemployer Plan's Decline**

One of the largest multiemployer pension plans in the U.S., with \$15.3 billion in assets, is expected to be insolvent in seven years, the U.S. Government Accountability Office said on Monday in a report for Congress that reviewed the events and circumstances that led to the plan's current financial condition. [Read more »](#)

### **NLRB Moving Forward On Joint-Employer Regs, Chair Says**

Littler Mendelson  
McDermott Will  
Milbank Tweed  
Miller Canfield  
O'Neill & Borges  
Paul Hastings  
Proskauer Rose  
Reed Smith  
Ryan Ryan  
Sher Tremonte LLP  
Sidley Austin  
Simpson Thacher  
Terrell Marshall  
Weil Gotshal  
Western Environmental Law  
Center  
White and Williams  
Wiley Rein  
Winston & Strawn

## **COMPANIES**

AT&T Inc.  
Allstate Corporation  
Amazon.com Inc.  
American Bankers Association  
American Bar Association  
American Civil Liberties Union  
Cable News Network Inc.  
Center for Biological Diversity Inc.  
Charter Communications Inc.  
Chevron Corporation  
Clean Air Task Force  
Comcast Corporation  
Competitive Carriers Association  
Competitive Enterprise Institute  
ConAgra Foods, Inc.  
Environmental Defense Fund Inc.  
Facebook  
FanDuel Inc.  
Federalist Society  
Google Inc.  
HarperCollins Publishers LLC  
Home Box Office Inc.  
Huawei Technologies  
Internet Corporation for Assigned  
Names and Numbers  
Kaspersky Lab Ltd.  
Major League Baseball Inc.  
Major Lindsey & Africa  
Miami Marlins  
NBCUniversal Inc.  
National Telephone Cooperative

In response to lawmakers' ethical concerns, the chairman of the National Labor Relations Board said Tuesday that he takes his ethics responsibilities seriously and that the agency will address the 2015 Browning-Ferris Industries joint-employment decision with a rulemaking "as soon as possible." [Read more »](#)

### **Miami Marlins Buyers Ask To Duck ERISA Rules After Sale**

The Miami Marlins' new owners on Tuesday asked the federal agency in charge of pension plans for an exemption to Employee Retirement Income Security Act rules that are designed to protect pensions after companies are sold, saying it shouldn't be required to post a \$4.8 million bond for five years. [Read more »](#)

## **CYBERSECURITY & PRIVACY**

### **Facebook Fan Page Admin Must Protect Data, EU Court Says**

The European Union's highest court ruled Tuesday that operators of Facebook fan pages are responsible along with the social network for protecting visitors' personal data and affirmed that a German privacy authority can take action against the company despite its European headquarters being in Ireland. [Read more »](#)

## **CONSUMER PROTECTION**

### **Judge Sides With USDA On Beef, Pork Labeling Rules**

A Washington federal judge on Tuesday tossed ranchers' challenge to the U.S. Department of Agriculture's relaxed origin-labeling rules for beef and pork, saying the rules "directly reflected" congressional mandates. [Read more »](#)

## **MEDICAL MALPRACTICE**

### **Sens. Blast Olympic Orgs For Nassar Abuse Failures**

A Senate Commerce subcommittee grilled witnesses Tuesday about how to fix the "culture of complicity and chaos" that let the now-infamous Dr. Larry Nassar sexually abuse hundreds of Olympic gymnasts, with senators calling for sweeping changes to prevent a repeat of his "nightmarish" actions. [Read more »](#)

## **GOVERNMENT CONTRACTS**

### **Air Force Drops \$24M Deal For New Presidential Jet Fridges**

The U.S. Air Force has canceled a sole-source, nearly \$24 million contract to provide new refrigerators for the aging Air Force One presidential jet after Rep. Joe Courtney, D-Conn., had raised price and competition concerns regarding the deal, Courtney revealed Monday. [Read more »](#)

## **AEROSPACE & DEFENSE**

### **DOD Pushing Ahead Prematurely With F-35, GAO Says**

The U.S. Department of Defense has planned to push ahead with a multibillion-dollar modernization of early F-35s without building a solid business case, and lawmakers should consider withholding initial funding for the plan, the U.S. Government Accountability Office said Tuesday. [Read more »](#)

## **INTERNATIONAL TRADE**

### **Trump Mulling Possible Split Of NAFTA Negotiations**

With any hope of delivering a revised North American Free Trade Agreement to Congress this year all but gone, the White House's top economic adviser said

Association

National Wildlife Federation

Natural Resources Defense Council

New York Times Co.

Petrobras

Robert Half International Inc.

Royal Dutch Shell PLC

Sierra Club

Spokeo Inc.

TechFreedom

Telecommunications Industry Association

Temple University

The Boeing Company

The Wilderness Society

Twitter Inc.

U.S. Chamber of Commerce

USG Corporation

United Parcel Service Inc.

United States Olympic Committee

Villanova University

Volvo Car Corp.

Wal-Mart Stores Inc.

Washington Lawyers' Committee for Civil Rights and Urban Affairs

Weaver LLP

Wells Fargo & Co.

Wilderness Workshop

Yahoo! Inc.

ZTE Corp.

Zeughauser Group LLC

## **GOVERNMENT AGENCIES**

Bureau of Land Management

Commodity Futures Trading Commission

Congressional Research Service

Consumer Financial Protection Bureau

Department of Commerce

Energy Information Administration

European Union

Executive Office of the President

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Energy Regulatory Commission

Federal Reserve System

Federal Transit Administration

Food and Drug Administration

Government Accountability Office

Tuesday that President Donald Trump is considering whether to bifurcate the effort and hold talks with Canada and Mexico on separate tracks. [Read more »](#)

### **Corker Readies Bill To Rein In Trump's Security Tariffs**

Senate Foreign Relations Committee Chairman Bob Corker, R-Tenn., said Tuesday that he is preparing legislation that will roll back President Donald Trump's authority to impose tariffs based on national security, which has become a flashpoint for controversy in recent weeks. [Read more »](#)

### **Construction Contractors Concerned About Trade Policy**

Construction contractors are increasingly concerned about the effect the Trump administration's international trade policy will have on the cost of materials and equipment, according to a survey conducted by the U.S. Chamber of Commerce and materials manufacturer USG Corp. [Read more »](#)

### **Mexico Hits Back At US With Steel, Pork Tariffs**

Mexico hit the U.S. on Tuesday with tariffs on steel and agricultural products — including pork, cheese, apples and potatoes — in response to the Trump administration's sweeping duties on steel and aluminum imports. [Read more »](#)

## **BANKRUPTCY**

### **1st Circ. Mulls Creditors' Role In Puerto Rico Recovery**

The First Circuit on Tuesday questioned whether a group of bondholders can step in and influence the actions of Puerto Rico's struggling public entities, during a morning of arguments before the appellate panel centering on the island commonwealth's historic restructuring. [Read more »](#)

## **IMMIGRATION**

### **Gov't Seeks To Nix Suit Over Salvadorans' Protected Status**

The federal government urged a Maryland federal court Monday to toss a case challenging the U.S. Department of Homeland Security's recent decision to terminate a temporary protected status program for approximately 200,000 Salvadorans in September 2019, saying the decision is not legally reviewable. [Read more »](#)

### **Immigrants Fight To Preserve Temporary Protected Status**

A group of immigrants from El Salvador, Haiti, Nicaragua and Sudan asked a California federal court Monday to let them move forward with their challenge to the Trump administration's decision to end temporary protected status for 200,000 people. [Read more »](#)

### **Attys For Iraqi Detainees Demand Access To Clients**

Attorneys for a certified class of Iraqi detainees urged a Michigan federal court to halt plans to transfer their clients from a Georgia detention center and allow the attorneys access to the individuals so they can investigate whether the federal government is coercing the immigrants. [Read more »](#)

## **TELECOMMUNICATIONS**

### **Telecom Agency Seeks Advice On Int'l Internet Policy**

The National Telecommunications and Information Administration has put out a wide call for advice on what its international internet priorities should be over the year, asking for comments on ways to ensure the free flow of data, cybersecurity policies and emerging technologies. [Read more »](#)

### **Net Neutrality Move May Have Unintended Effect, Attys Warn**

The Congressional Review Act attempt to restore Obama-era net neutrality rules

Internal Revenue Service

NAFTA

National Economic Council

National Labor Relations Board

National Telecommunications and Information Administration

New Mexico Attorney General's Office

New York Attorney General's Office

Office of the Comptroller of the Currency

Office of the U.S. Trade Representative

Pension Benefit Guaranty Corp. Securities and Exchange Commission

Texas Supreme Court

U.S. Agency for International Development

U.S. Air Force

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. House Committee on Energy and Commerce

U.S. Immigration and Customs Enforcement

U.S. Supreme Court



may have unintended consequences that gut important transparency requirements while still moving forward with the Title I reclassification of the internet as an information service, telecom experts warned during a Tuesday morning panel. [Read more »](#)

### **Huawei Hits Out At Proposed FCC National Security Ban Rule**

Chinese telecommunications equipment manufacturer Huawei has hit back against a proposed Federal Communications Commission rule that would block funds from an \$8.5 billion FCC program going to companies who use equipment deemed to pose a threat to national security, calling the proposal unconstitutional and "imprudent" in comments made public Monday. [Read more »](#)

### **Think Tank Says FCC Should Scrap Cable Rules**

A think tank that often advocates for deregulation has urged the Federal Communications Commission to go forward with its plan to scrap rules requiring cable companies to dedicate some of their channel capacity to independent programmers, arguing Monday that the rules hinder competition and free speech. [Read more »](#)

## **WHITE COLLAR**

### **Judge Denies Hastert's Request For Post-Deal Reprimand**

An Illinois federal judge on Tuesday turned down former U.S. House Speaker Dennis Hastert's request that he reprimand a would-be whistleblower for allegedly intentionally misprinting Hastert's lawyer's name on dismissal papers filed in the Seventh Circuit, instead saying he would "cleanse the record appropriately" and let the appellate dismissal mandate end the case. [Read more »](#)

## **EXPERT ANALYSIS**

### **A Better Method For Achieving Broader Class Action Reform**

In recent months, the U.S. Department of Justice and many state attorneys general have addressed class action reform by objecting to proposed class action settlements. While we are sympathetic to concerns about class litigation abuse, what's needed is careful oversight at the earliest stages of litigation, say Kahn Scolnick and Bradley Hamburger of Gibson Dunn & Crutcher LLP. [Read more »](#)

#### **Opinion**

### **SEC Should Expand Opportunities For Mr. And Mrs. 401(k)**

As the U.S. Securities and Exchange Commission considers raising the standard of conduct applicable to investment advisers with respect to their retail clients, it should also consider loosening the restrictions that inhibit retail investors from gaining access to privately placed securities and other alternative investments, say Dina Ellis Rochkind and Joshua Downer of Paul Hastings LLP. [Read more »](#)

### **A Look At Treasury's Recent Efforts To Reform Regulation**

In keeping with the "one in, two out" principle of deregulation adopted by the Trump administration, the president has called on the U.S. Department of the Treasury to reduce regulatory burdens on taxpayers. Andrew Roberson and Justin Crause at McDermott Will & Emery LLP look at what has happened so far and what taxpayers can do in anticipation of future regulatory reform. [Read more »](#)

## **LEGAL INDUSTRY**

#### **Feature**

### **Firms May Think Twice Before Matching Milbank On Salaries**

Milbank Tweed Hadley & McCloy LLP's announcement on Monday that it would increase associates' salaries signals the beginning of another race to match a new, higher pay scale, but not all firms may follow, leading to further stratification between the most profitable firms and everyone else. [Read more »](#)

## Winston & Strawn, Proskauer Latest To Bump Associate Pay

Winston & Strawn LLP and Proskauer Rose LLP on Tuesday said they will match the new pay scale put forth by Milbank Tweed Hadley & McCloy LLP a day earlier that raises associates' compensation by \$10,000 to \$15,000. [Read more »](#)

### Pro Bono Spotlight

## 2 Boutique Associates Snag Prisoners' Rights Win At 2nd Circ.

It doesn't take a large law firm or high-powered partner to win a big pro bono victory, as two associates from litigation boutique Sher Tremonte LLP made clear earlier this month by securing a precedential Second Circuit decision finding prisoners have the right to refuse to become government informants. [Read more »](#)

### Guest Feature

## Dan Abrams Talks 'Lincoln's Last Trial' And Crime In Media

Everything I saw through the glass walls of Dan Abrams' office shouted new media. But after an hour with the ABC News chief legal affairs anchor, discussing his new book about Abraham Lincoln's career as a lawyer and a wealth of other topics, I came away realizing the secret of his success. And there's nothing new about it at all, says Randy Maniloff of White and Williams LLP. [Read more »](#)

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Lincoln Financial Group

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[Cancio Nadal](#)

[Casellas Alcover](#)

[Cuti Hecker](#)

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Kasowitz Benson  
Kramer Levin  
Lawyers' Committee for Civil Rights  
Lewis Brisbois  
Littler Mendelson  
Miller Canfield  
O'Neill & Borges  
Paul Hastings  
Reed Smith  
Ryan Ryan  
Sher Tremonte LLP  
Sidley Austin  
Simpson Thacher  
Terrell Marshall  
Western Environmental Law Center  
White and Williams  
Wiley Rein

#### COMPANIES

Comcast Corporation  
AT&T Inc.  
Amazon.com Inc.  
American Civil Liberties Union  
Facebook  
Google Inc.  
Home Box Office Inc.  
Natural Resources Defense Council  
Twitter Inc.  
Allstate Corporation  
American Bankers Association  
American Bar Association  
Cable News Network Inc.  
Center for Biological Diversity Inc.  
Charter Communications Inc.  
Chevron Corporation  
Clean Air Task Force  
Competitive Carriers Association  
Competitive Enterprise Institute  
ConAgra Foods, Inc.  
Environmental Defense Fund Inc.  
FanDuel Inc.  
Federalist Society  
HarperCollins Publishers LLC  
Huawei Technologies  
Internet Corporation for Assigned Names and Numbers  
Kaspersky Lab Ltd.  
Major League Baseball Inc.  
Major Lindsey & Africa  
Miami Marlins  
NBCUniversal Inc.  
National Telephone Cooperative Association

National Wildlife Federation  
New York Times Co.  
Petrobras  
Robert Half International Inc.  
Royal Dutch Shell PLC  
Sierra Club  
Spokeo Inc.  
TechFreedom  
Telecommunications Industry Association  
Temple University  
The Boeing Company  
The Wilderness Society  
U.S. Chamber of Commerce  
USG Corporation  
United Parcel Service Inc.  
United States Olympic Committee  
Villanova University  
Volvo Car Corp.  
Wal-Mart Stores Inc.  
Washington Lawyers' Committee for Civil Rights and Urban Affairs  
Weaver LLP  
Wells Fargo & Co.  
Wilderness Workshop  
Yahoo! Inc.  
ZTE Corp.  
Zeughauser Group LLC

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
European Union  
Federal Communications Commission  
U.S. Department of Homeland Security  
Consumer Financial Protection Bureau  
Executive Office of the President  
Government Accountability Office  
NAFTA  
National Economic Council  
Pension Benefit Guaranty Corp.  
Securities and Exchange Commission  
U.S. Department of Defense  
U.S. Department of Labor  
U.S. Department of the Treasury  
U.S. Immigration and Customs Enforcement  
Bureau of Land Management  
Commodity Futures Trading Commission  
Congressional Research Service  
Department of Commerce  
Energy Information Administration  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission

Federal Reserve System  
Federal Transit Administration  
Food and Drug Administration  
Internal Revenue Service  
National Labor Relations Board  
National Telecommunications and Information Administration  
New Mexico Attorney General's Office  
New York Attorney General's Office  
Office of the Comptroller of the Currency  
Office of the U.S. Trade Representative  
Texas Supreme Court  
U.S. Agency for International Development  
U.S. Air Force  
U.S. Department of Agriculture  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. House Committee on Energy and Commerce

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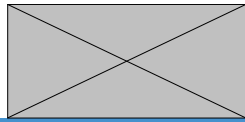
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 8/2/2016 8:53:01 AM  
**Subject:** [Marketing Mail] 'Privacy Shield' Sign-Ups Begin As EU Offers Redress Advice



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**Tuesday, August 2, 2016**

## TOP NEWS

### 'Privacy Shield' Sign-Ups Begin As EU Offers Redress Advice

Multinational companies got their first chance Monday to certify to and begin using the new trans-Atlantic Privacy Shield data transfer mechanism, as the European Commission gave consumers advice on how to go after businesses they believe are running afoul of the agreement.

### White House Remains Bullish On TPP Passage

The heated rhetoric against the Trans-Pacific Partnership on display at last week's Democratic National Convention has not dampened President Barack Obama's resolve to get the agreement ratified this year, a White House spokesman said Friday.

### Ala. Loses Bid To Halt Syrian Refugee Settlement In State

A federal court on Friday dismissed Alabama's challenge to the U.S. government's placing of Syrian refugees in the state, ruling that states don't have a basis to enforce a consultation requirement of the Refugee Act.

### Calif. Agencies Unveil Zero-Emission Freight System Final Plan

The California Air Resources Board and other state agencies on Friday unveiled the final version of their Sustainable Freight Action plan, a roadmap for modernizing the state's multibillion-dollar freight transportation system and zeroing out carbon emissions across the freight network.

### FDIC Aims To Ease Supervisory Appeals Process For Banks

The Federal Deposit Insurance Corp. said that it wants to make it easier for banks to appeal supervisory decisions that could result in enforcement actions and aims to tighten up its supervision of banks' relationships with third-party lenders.

## ANALYSIS

### 2017 NDAA Skirts Base Closures, But Congress Shows Interest

The Pentagon's threat to go it alone on base realignment and closure is more likely rhetorical than realistic as lawmakers work to finalize the 2017 National Defense Authorization Act, but recent moves by senior lawmakers show that Congress may be growing more willing to consider a new BRAC round.

## BANKING & SECURITIES

## LAW FIRMS

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Arent Fox  
Arnold & Porter  
Bracewell LLP  
Brune & Richard  
BuckleySandler  
Consovoy McCarthy  
Cooley  
Covington & Burling  
Cravath Swaine  
Crowell & Moring  
DLA Piper  
Dentons  
Dewey & LeBoeuf  
Dorsey & Whitney  
Dowd Bennett  
Earthjustice  
Eimer Stahl  
Foley & Lardner  
Freshfields  
Gibson Dunn  
Greenberg Traurig  
Greene LLP  
Gupta Beck  
Holland & Knight  
Hopping Green  
Hunton & Williams  
Husch Blackwell  
Jones Day  
Kazmarek Mowrey  
King & Spalding  
Kobre & Kim  
Latham & Watkins  
Lowenstein Sandler

CLV001035

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## EU Seeks Suggestions On Untangling Banking Legislation

The European Commission on Monday asked European Union and national regulators to help streamline inconsistencies and redundancies in the layers of new banking regulation introduced since the 2008 financial crisis.

## SEC Gives Itself More Time To Consider Audit Plan

The U.S. Securities and Exchange Commission gave itself more time Friday to consider nearly two dozen comments on its May proposal for a system that will monitor digital trading activity, moving the deadline to approve or amend its plan from Sept. 14 to Nov. 10.

## Research Group Pushes Reforms To End 'Rigged' Markets

The Committee on Capital Markets Regulation has recommended reforms to increase confidence in capital markets during an era of high-frequency trading and dark pools, pointing to the risk that "rigged" stock markets may prevent long-term investors from getting accurate securities pricing.

## ENERGY & ENVIRONMENTAL

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## EPA Tells DC Circ. It Got New Ozone Rules Just Right

The U.S. Environmental Protection Agency acted well within its Clean Air Act authority and struck an appropriate balance between industry and environmental concerns when it crafted tighter national ozone limits, the agency told the D.C. Circuit Friday.

## Gold King Mine Spill Answers Must Wait On Probe, Pols Told

The U.S. Environmental Protection Agency's internal watchdog told politicians Friday that it cannot answer their questions about last year's Gold King Mine disaster until a criminal investigation runs its course.

## Water Rule Foes Say EPA, Corps Can't Hide Behind Privilege

The states, industry groups and environmentalists involved in the legal tug-of-war over the U.S. Environmental Protection Agency's Clean Water Rule told the Sixth Circuit on Friday that the EPA and Army Corps of Engineers are inventing legal reasons to keep documents out of the record for the court to review.

## NY Approves 50% Clean Energy Goal For 2030

New York utility regulators on Monday unveiled a revised clean energy standard that requires the state to draw half of its electricity from renewable sources by 2030 and subsidizes the continued operation of two upstate nuclear plants to prevent the state's carbon emissions reduction goals from being compromised.

## HEALTH & LIFE SCIENCES

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## Feds Botched ACA Insurer Payments, Suits Say

Two nonprofit health insurers filed lawsuits Friday accusing the Obama administration of "runaway regulatory abuses" that have underpaid the Affordable Care Act's co-op insurance plans and seriously damaged their viability.

## Fla. Seeks CDC's Help As 10 New Zika Cases Found In Miami

Florida Gov. Rick Scott on Monday said 10 new cases of locally transmitted Zika virus have been detected in the state and asked the Centers for Disease Control and Prevention to provide an emergency response team to assist efforts to target the virus.

## IP & TECHNOLOGY

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Manatt Phelps  
Mayer Brown  
Maynard Cooper  
McGuireWoods  
Meadows Collier  
Miller Shakman  
Morgan Lewis  
Munger Tolles  
Norton Rose Fulbright  
Paul Hastings  
Pepper Hamilton  
Quinn Emanuel  
Reisman Karron  
Ropes & Gray  
Rutan & Tucker  
Seward & Kissel  
Seyfarth Shaw  
Sidley Austin  
Stradling Yocca  
Tabner Ryan  
Taylor Porter  
Thompson & Knight  
Thompson Hine  
Troutman Sanders  
Vinson & Elkins  
Warner Norcross  
Weil Gotshal  
Wilkinson Walsh  
Womble Carlyle

## COMPANIES

AT&T Inc.  
AdvancePierre Foods Inc.  
Aetna Inc.  
Airbnb Inc.  
Altice SA  
American Civil Liberties Union  
American Express Company  
Apple Inc.  
AstraZeneca  
BNSF Railway  
Baker Hughes Inc.  
Bank of England  
Bayer AG  
Beckman Coulter, Inc.  
Belo Corp.  
CTIA  
Cablevision Systems Corporation  
Cameron International Corporation  
Center for Strategic and International Studies

## Sen. Pushes For Education Boost To Fill Cyber Talent Gap

A Republican senator on Friday took aim at private companies and the government for failing to do more to develop professionals equipped to handle the rapidly growing volume of cybersecurity incidents, calling on them to partner with educational institutions to figure out how to generate more interest in the field.

## TRANSPORTATION & INFRASTRUCTURE

### Rail Giants Call Calif. Hazmat Transpo Fee Anti-Competitive

BNSF Railway Co. and Union Pacific Railroad Co. slapped California's tax board and regulators with a federal suit Friday, alleging new fees on transporting hazardous materials like crude oil and chemicals by rail are anti-competitive and unlawfully interfere with federally protected interstate commerce.

## INSURANCE

### ACA Co-Op Can't Delay \$24M Payment, 4th Circ. Rules

The Fourth Circuit on Monday refused to shield a Maryland health insurer from a \$24 million payment owed under the Affordable Care Act, but the company nonetheless predicted it would avoid joining the fast-growing graveyard of ACA co-ops.

## REAL ESTATE

### Airbnb Slaps Anaheim With Suit Over Short-Term Rental Law

User-based room rental service Airbnb has sued the city of Anaheim in California federal court, saying a new city ordinance barring short-term rentals and imposing fines on websites that do so is a violation of the First Amendment and the Communications Decency Act.

## COMPETITION

### Drivers Blast Taxi Cos.' 7th Circ. Row Over Chicago Uber Regs

A trio of drivers seeking to intervene in a Seventh Circuit challenge to Chicago regulations that allegedly favor ride-hailing companies like Uber and Lyft said Monday that taxicab companies have lobbed incoherent and unfounded arguments in their self-interested quest to get the regulations invalidated.

## GOVERNMENT CONTRACTS

### DOD Takes Steps To Halt Purchase Of Counterfeit Parts

The U.S. Department of Defense set forth rules to help prevent counterfeit electronic parts from getting into military systems in the final version of amendments to the Defense Federal Acquisition Regulation Supplement published Monday.

### Navy Oversight Of Radar Parts Deals Needs Improvement

A Pentagon watchdog said Monday that the U.S. Navy failed to include appropriate metrics in its performance-based contracts for sustaining radar arrays used in the service's AEGIS missile defense system, and therefore fell short on cost reduction and performance goals.

### Feds Rebut Menendez Pal's Expert Challenges In Fraud Suit

Prosecutors in a Medicare fraud suit against a Florida eye doctor — who also faces charges of bribing U.S. Sen. Robert Menendez, D-N.J. — urged a federal judge Monday to reject his attempt to exclude additional expert testimony, saying

Charter Communications Inc.  
Chevron Corporation  
Comcast Corporation  
Dean Foods Company  
Deloitte Touche  
Entergy Corporation  
Exelon Corporation  
Expedia Inc.  
Facebook  
Financial Industry Regulatory Authority Inc.  
Financial Services Roundtable  
Gannett Co. Inc.  
General Electric Company  
Genesis HealthCare  
Genoptix, Inc.  
Gerchen Keller Capital LLC  
Google Inc.  
Hertz Global Holdings Inc.  
Hoffmann-La Roche  
HomeAway Inc.  
Illinois Transportation Trade Association  
Institute for Justice  
Intel Corporation  
Jazz Pharmaceuticals Inc.  
Krispy Kreme Doughnuts, Inc.  
Level 3 Communications Inc.  
Lockheed Martin  
Lyft Inc.  
Mallinckrodt PLC  
McKesson Corporation  
Merck & Co Inc.  
Microsoft Corporation  
Motorola Mobility LLC  
Murray Energy Corp.  
National Cable & Telecommunications Association  
National Consumer Law Center  
National Telephone Cooperative Association  
Novartis AG  
Pacific Legal Foundation  
PhRMA  
Procter & Gamble Co.  
Protective Life Corporation  
Public Knowledge  
Quest Diagnostics Incorporated  
Questcor Pharmaceuticals, Inc.  
Raytheon Company  
SIFMA  
Securus Technologies Inc.

they have not impinged his right to a fair trial.

## States Slam Bid To Pause FCC's Inmate Call Rate Challenge

Nine states on Friday blasted the Federal Communications Commission's request for the D.C. Circuit to hold on to a row over its mandated limits on rates for inmate calls, arguing that a pending vote on the rate caps won't change their inherent illegality.

## INTERNATIONAL TRADE

### US-China Panel Queries Investment Accord's Economic Upside

Completing a bilateral investment treaty with China is one of the Obama administration's top trade policy priorities, but it is yet unclear how beneficial such an agreement would be, according to a U.S.-China Economic and Security Review Commission report circulated Friday.

### Obama Administration Will Ramp Up Steel Industry Scrutiny

The U.S. Department of Commerce published a flurry of new data on the world's top 20 steel exporting and importing nations Monday, which will be used in a new industry monitoring program that the agency expects to be fully operational by next year.

## TELECOMMUNICATIONS

### Comcast Says Special Access Regs Could Chill Investment

A new Federal Communications Commission regulatory regime in the market for special access services that could include rate regulation for cable companies risks hurting investment and undermining the agency's goals, Comcast has told the FCC, saying there is no evidence supporting it.

### T-Mobile Wants 'Efficient' Spectrum Reconfiguration

T-Mobile is pressing for an "efficient, phased reconfiguration" of spectrum as the Federal Communications Commission moves forward with its experimental incentive auction, according to an ex parte filing with the agency submitted Friday.

### Advocates Slam Industry Challenge To FCC Lifeline Changes

A range of advocacy groups hit industry representatives Friday at the Federal Communications Commission for asking the agency to reconsider several changes to the Lifeline low-income subsidy program, saying industry is seeking to help businesses at consumers' expense.

### Public Interest Group Rejects Industry Set-Top Plan At FCC

A public interest group advocating for the Federal Communications Commission's proposal to allow pay-TV subscribers to view content on third-party devices or apps told the commission Friday that an alternative plan suggested by the industry is not the way forward.

## PEOPLE

### Ex-Federal Prosecutors Form Whistleblower Partnership

A group of former federal prosecutors have announced the Whistleblower Law Team, a partnership to assist and protect whistleblowers in reporting fraud.

### NJ Senate Confirms Christie's Former Chief Counsel As AG

The New Jersey Senate voted Monday to confirm Acting Attorney General Christopher S. Porrino as the state's chief law enforcement official after some questioned his ability to act independently given his former role as chief counsel to Gov. Chris Christie during the George Washington Bridge lane closure investigation.

Siemens AG  
Sierra Club  
Stroz Friedberg LLC  
Sunrise Senior Living, Inc.  
T-Mobile USA Inc.  
Target Corporation  
Toll Brothers Inc.  
Travelocity.com LP  
U.S. Chamber of Commerce  
Union Pacific Corporation  
United Parcel Service Inc.  
United States Steel Corporation  
United States Telecom Association  
Verizon Communications  
VimpelCom Ltd.  
Welltower Inc.  
Xerox Corporation

## GOVERNMENT AGENCIES

Army Corps of Engineers  
California Department of Transportation  
California Energy Commission  
California Environmental Protection Agency  
California Natural Resources Agency  
California State Board of Equalization  
Centers for Disease Control and Prevention  
Centers for Medicare & Medicaid Services  
Commodity Futures Trading Commission  
Department of Commerce  
European Commission  
Executive Office of the President  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Trade Commission  
Food and Drug Administration  
Internal Revenue Service  
International Trade Commission  
New Jersey Legislature  
Occupational Safety and Health Administration  
Office of the Comptroller of the Currency



### 2nd Circ. Microsoft Ruling: A Plea For Congressional Action

The Second Circuit's recent ruling in *Microsoft v. U.S.* is part of a clear trend limiting the reach of federal law to matters that have a significant foreign link. Less clear is whether the strict territorial approach adopted by the court will prove workable, say Alan Raul and Kwaku Akowuah of Sidley Austin LLP.

### Inside SEC's New In-House Court Rules

The U.S. Securities and Exchange Commission recently attempted to remedy some of the more controversial aspects of its administrative forum by amending its rules of practice. Attorneys with Ropes & Gray LLP compare the amended rules to the analogous rules under the Federal Rules of Civil Procedure and examine the ways in which a respondent might continue to be disadvantaged.

### GSA Inspector General Takes Aim At Tech Resellers

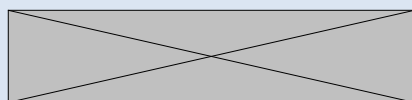
A recent report by the Office of Inspector General for the U.S. General Services Administration could have huge import for information technology companies that sell their products and services to the federal government through resellers, particularly the report's recommendation that reseller participation in the Multiple Award Schedule program be curbed because the reseller contracts result in increased costs to the government, say attorneys with Morgan Lewis & Bockius LLP.

### Potential Challenges To EPA Chemical Risk Management Rule

Changes to the U.S. Environmental Protection Agency's risk management plan modernization rule have the potential to greatly increase the number of chemical facility incidents requiring formal investigations. However, there are several types of legal arguments that may effectively challenge the rule, says Juan Miranda at Taylor Porter Brooks & Phillips LLP.

### BigLaw's (Crowded) Passage To India?

The imminent green light for foreign firms to get into India's market will be a bellwether of law firm behavior. The impulse to follow the crowd into the new frontier will be great, but smart firms will take a long hard look at who they are before making the passage to India, says Mark A. Cohen, an adjunct professor at Georgetown Law School and founder of Legal Mosaic LLC.



### Bad Legal Writing Cut Down To Size In Age Of Short Attention Spans

Standards for what's considered good writing in the legal profession are changing, and lawyers wedded to the ways of old run the career-damaging risk of angering clients and judges.

### Assault On Patent Trolls Leaves NPE Model In Peril

The America Invents Act has left behind a trail of invalidated patents, and IP plaintiffs are being battered by a slew of unfavorable Supreme Court decisions. Will nonpracticing entities find a way to adapt and thrive in this new world?

### Sandy Hook Victims Search For Weaknesses In Gun Makers' Legal Shield

Federal law gives gun makers broad protections from lawsuits over non-defective weapons, but a new interpretation of a common legal theory could

Port Authority of New York & New Jersey

Securities and Exchange Commission

Surface Transportation Board

U.S. Army

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Justice

U.S. Department of State

U.S. Department of Veterans Affairs

U.S. Environmental Protection Agency

U.S. General Services Administration

U.S. Navy

U.S. Supreme Court

U.S.-China Economic and Security Review Commission



pave the way for mass-shooting cases if a Connecticut judge signs off.

## LEGAL INDUSTRY

### Litigation Powerhouse: Sidley Austin LLP

By bolstering its capability to take on complex litigation in myriad sectors across various U.S. markets — and with its success in high-profile matters for Bayer Corp. and AT&T Mobility LLC, among others — Sidley Austin LLP has earned a spot among Law360's Litigation Powerhouses for 2016.

### Crowell & Moring Ups Billable Demands After Giving Raises

Crowell & Moring LLP has increased its yearly billable hours requirement for associates, the firm confirmed Monday, less than two months after handing out raises to many of its attorneys that matched the new benchmark set by Cravath Swaine & Moore LLP.

### 5 Tips For Starting Your Own Law Firm

Launching your own law firm can be a daunting task, and assembling the right team of lawyers to bring along is no easy part. There are rules and ethical obligations to consider, not to mention making sure you will all get along. But with the right planning, and perhaps a bit of cajoling, you can be on your way to building an all-star cast, experts say. Here are some tips for branching out on your own and bringing the best attorneys with you.

### Average New Atty Not Earning Anywhere Near BigLaw Scale

The new Cravath Swaine & Moore LLP benchmark salary of \$180,000 for entry-level attorneys in BigLaw will not be the norm, according to new research from The National Association for Law Placement, which found most new attorneys earned between \$40,000 and \$65,000 in their first year.

### Dewey's DiCarmine, Prosecutors Grapple Before 2nd Trial

Former Dewey & LeBoeuf Executive Director Stephen DiCarmine on Monday exchanged fire with prosecutors over which evidence will be permitted in his coming New York state retrial over charges that he and others defrauded lenders and investors prior to the mega-firm's collapse.

### PACER Users Urge DC Court To Allow Pricing Complaint

A proposed class of PACER users on Friday urged a D.C. federal court not to toss claims that the federal court filing service is too expensive, arguing the government has misconstrued the complaint as concerning a billing code error, when it's actually over the price of the service.

### Supreme Court's Approval Rating At Its Lowest Again

The U.S. Supreme Court tied its record low approval rating in a Gallup poll released Monday that found only 42 percent of the country thinks the high court is doing a good job.

### The Top In-House Hires Of July

An embattled Theranos fleshes out its compliance function and hires two execs, Vanguard recruits Citi's former general counsel, and Xerox's top lawyer jumps ship for Target. They top the list of the in-house moves you should know about.

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Greene LLP  
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Hopping Green  
Jones Day  
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King & Spalding  
Kobre & Kim  
Latham & Watkins  
Manatt Phelps  
Mayer Brown  
Maynard Cooper  
McGuireWoods  
Meadows Collier  
Miller Shakman  
Morgan Lewis  
Paul Hastings  
Pepper Hamilton  
Quinn Emanuel  
Reisman Karron  
Ropes & Gray  
Rutan & Tucker  
Seward & Kissel

Stradling Yocca  
Tabner Ryan  
Taylor Porter  
Thompson Hine  
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Warner Norcross  
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## COMPANIES

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Comcast Corporation  
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Facebook  
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Google Inc.  
Microsoft Corporation  
Sierra Club  
Verizon Communications  
AdvancePierre Foods Inc.  
Aetna Inc.  
Airbnb Inc.  
Altice SA  
American Civil Liberties Union  
American Express Company  
Apple Inc.  
AstraZeneca  
BNSF Railway  
Baker Hughes Inc.  
Bank of England  
Bayer AG  
Beckman Coulter, Inc.  
Belo Corp.  
CTIA  
Cablevision Systems Corporation  
Cameron International Corporation  
Charter Communications Inc.  
Chevron Corporation  
Dean Foods Company  
Entergy Corporation  
Exelon Corporation  
Expedia Inc.  
Financial Services Roundtable  
Gannett Co. Inc.  
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Genesis HealthCare  
Genoptix, Inc.  
Gerchen Keller Capital LLC  
Hertz Global Holdings Inc.

Hoffmann-La Roche  
HomeAway Inc.  
Illinois Transportation Trade Association  
Institute for Justice  
Intel Corporation  
Jazz Pharmaceuticals Inc.  
Krispy Kreme Doughnuts, Inc.  
Level 3 Communications Inc.  
Lockheed Martin  
Lyft Inc.  
Mallinckrodt PLC  
McKesson Corporation  
Merck & Co Inc.  
Motorola Mobility LLC  
Murray Energy Corp.  
National Cable & Telecommunications Association  
National Consumer Law Center  
National Telephone Cooperative Association  
Novartis AG  
Pacific Legal Foundation  
PhRMA  
Procter & Gamble Co.  
Protective Life Corporation  
Public Knowledge  
Quest Diagnostics Incorporated  
Questcor Pharmaceuticals, Inc.  
Raytheon Company  
SIFMA  
Securus Technologies Inc.  
Siemens AG  
Stroz Friedberg LLC  
Sunrise Senior Living, Inc.  
T-Mobile USA Inc.  
Target Corporation  
Toll Brothers Inc.  
Travelocity.com LP  
U.S. Chamber of Commerce  
Union Pacific Corporation  
United Parcel Service Inc.  
United States Steel Corporation  
United States Telecom Association  
VimpelCom Ltd.  
Welltower Inc.  
Xerox Corporation

**GOVERNMENT AGENCIES**

Federal Communications Commission  
U.S. Department of Justice  
U.S. Environmental Protection Agency  
Securities and Exchange Commission  
U.S. Department of Defense

U.S. Department of Health and Human Services  
U.S. Supreme Court  
Department of Commerce  
European Commission  
Army Corps of Engineers  
California Department of Transportation  
California Energy Commission  
California Environmental Protection Agency  
California Natural Resources Agency  
California State Board of Equalization  
Centers for Disease Control and Prevention  
Centers for Medicare & Medicaid Services  
Commodity Futures Trading Commission  
Executive Office of the President  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Trade Commission  
Food and Drug Administration  
Internal Revenue Service  
International Trade Commission  
New Jersey Legislature  
Occupational Safety and Health Administration  
Office of the Comptroller of the Currency  
Port Authority of New York & New Jersey  
Surface Transportation Board  
U.S. Army  
U.S. Department of Agriculture  
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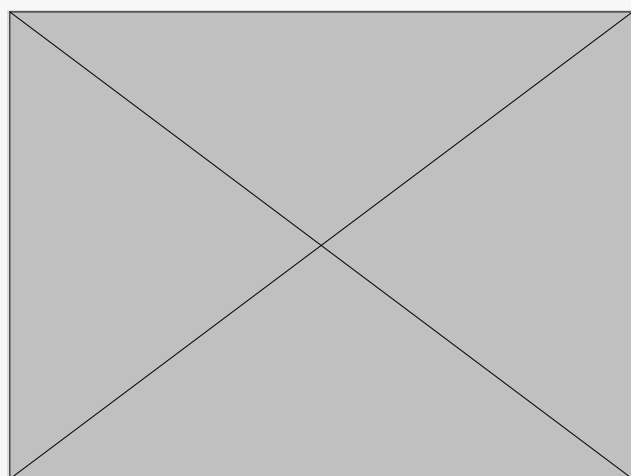
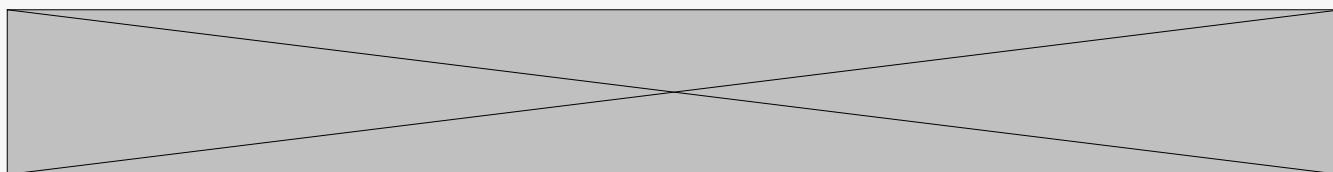
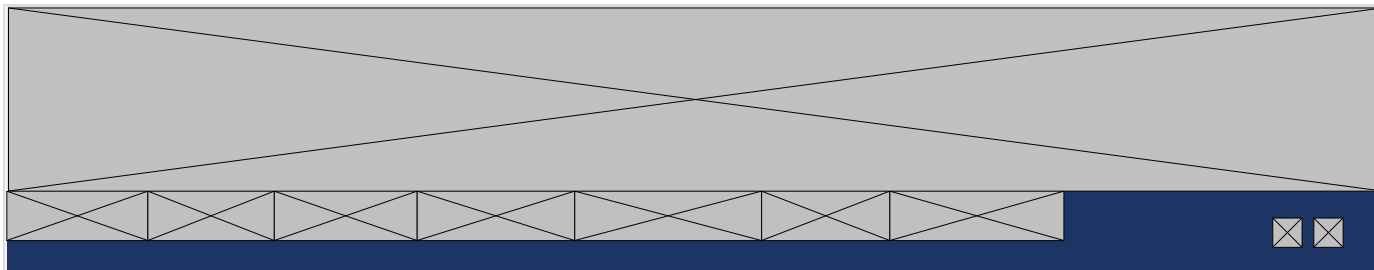
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Marine Log News  
**Sent:** Thur 11/19/2015 9:23:04 PM  
**Subject:** [Marketing Mail] SAFE Boats to build riverine interceptors for Colombia; Feds join whistleblower lawsuit against Inchcape

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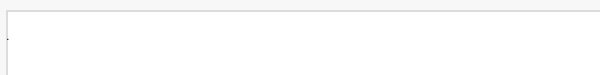
## SAFE Boats to build riverine interceptors for Colombia

**November 19, 2015**—SAFE Boats International, Bremerton, WA, will build a series of Type-F Riverine Interceptor Vessels under a contract with the Colombian Navy and Coast Guard. Under the contract, SAFE Boats will deliver a shallow draft, aluminum, high-speed intercept vessel designed to provide tactical mobility and support in opposed riverine and littoral environments.

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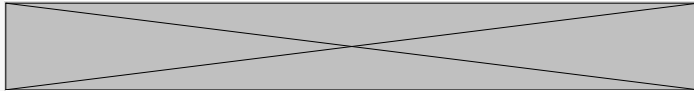
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### **Feds join whistleblower lawsuit against Inchcape**

The lawsuit alleges that Inchcape knowingly overbilled the Navy by submitting invoices that overstated the quantity of goods and services provided, billed at rates in excess of applicable contract rates and double-billed for certain goods and services.

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### **MAN Diesel & Turbo acquires marine fuel gas supplier**

MAN Diesel & Turbo Sverige AB is acquiring the marine fuel gas supply system business from Cryo AB, a manufacturer of cryogenic equipment for the storage, distribution and handling of liquefied gases.

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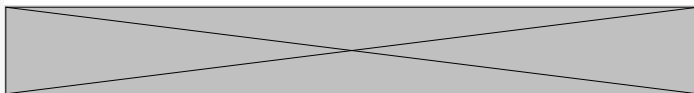
### **Polish shipyard to build fishing trawler**

During the last two years, Nauta has signed contracts for 12 partly outfitted purse seiner trawlers for Danish and Norwegian customers.

---

### **Sheriff will use Moose Boat catamaran to police Lake Tahoe**

The new Marine 6, a 35 foot all-aluminum catamaran vessel will replace the Placer County Sheriff's former Marine 6, a 28 foot aluminum monohull vessel which has been in service since 1988.



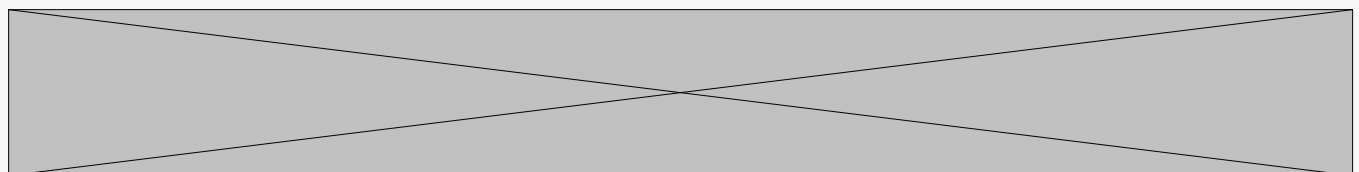
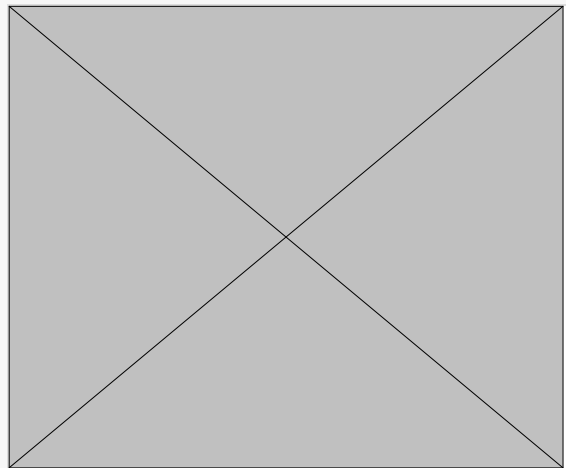
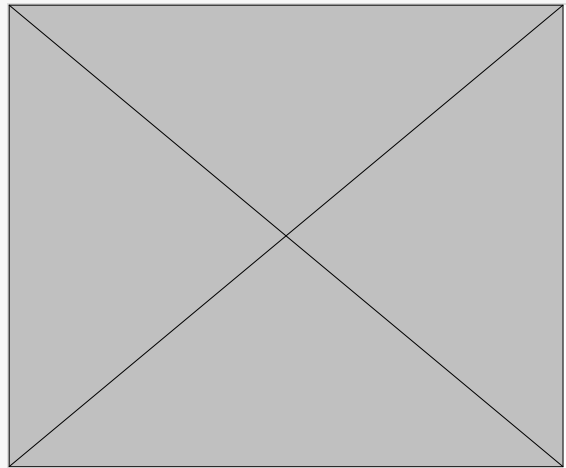
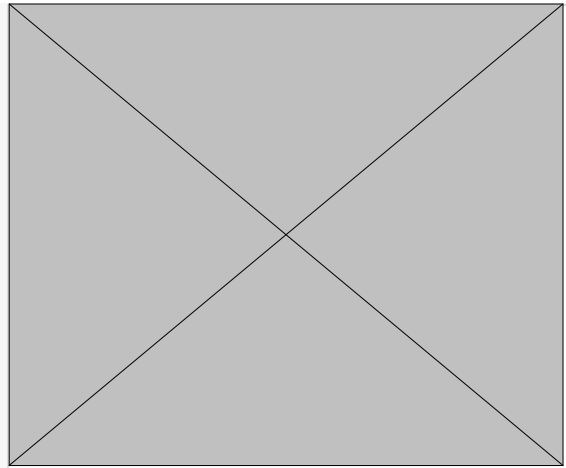
### **☒ Norwegians square up to the offshore challenge**

### **☒ OSVs: Survival Mode**

### **☒ Workboats & Patrol Boats: Small but Mighty**

### **☒ Software: Designs on Expansion**

### **☒ First vessel launched at Eastern using FORAN**



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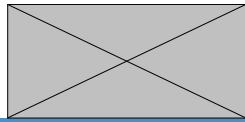


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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 7/25/2016 8:49:33 AM  
**Subject:** [Marketing Mail] NBA Pulls All-Star Game From Charlotte Citing Bathroom Law



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**Monday, July 25, 2016**

## TOP NEWS

### **NBA Pulls All-Star Game From Charlotte Citing Bathroom Law**

The NBA has decided to relocate the 2017 All-Star Game from Charlotte, North Carolina, citing the state's controversial new law preventing transgender people from choosing the bathroom of their choice in a move that has sparked outrage from the governor, Pat McCrory.

### **Brexit Opens Door For Overhauled UK Trade Policy**

A looming exit from the European Union has opened the door for the United Kingdom to forge a reputation as an independent trading power for the first time in decades, experts say, but London has heavy lifting to do if it hopes to establish itself as major player untethered from a larger trading bloc.

### **Minnesota Takes Emissions Law Fight To US Supreme Court**

Minnesota will urge the U.S. Supreme Court to overturn the Eighth Circuit's recent ruling that nixed portions of a state law effectively barring new coal-fired plants from supplying electricity to the state, Law360 learned on Friday.

### **FCC Chairman Pushes Carriers To Help Block Robocalls**

The commissioner of the Federal Communications Commission on Friday called on major wireless and landline phone companies to offer free call-blocking services to customers in an effort to combat robocalls, the "number one source of complaints" at the FCC, the commissioner said.

### **La. Abortion Laws Delayed Until At Least November**

A Louisiana federal judge on Friday pushed back hearings in a case challenging the state's seven abortion laws enacted in 2016 until November, and during that time the state has agreed to hold off on enforcing the laws, according to the Center for Reproductive Rights.

### **PolS Want New Whistleblower Protections For Contractors**

A bipartisan group of House members introduced a bill Thursday that would extend existing federal whistleblower protections to federal contractors, as pressure has built on the U.S. departments of Defense, Veterans Affairs and other federal agencies over their treatment of whistleblowers.

## ANALYSIS

## LAW FIRMS

Akin Gump  
Axiom Law  
Baker & McKenzie  
Baker Botts  
BakerHostetler  
Bancroft PLLC  
Barran Liebman  
Bryan Cave  
Cleary Gottlieb  
Crowell & Moring  
Curtin & Heefner  
Debevoise & Plimpton  
Dechert  
Dorsey & Whitney  
Fox Rothschild  
Fragomen Del Rey  
Frankfurt Kurnit  
Fried Frank  
Gibson Dunn  
Greenberg Glusker  
Greenberg Traurig  
Herbert Smith Freehills  
High Swartz  
Hogan Lovells  
Holland & Knight  
Jones Day  
Jones Walker  
K&L Gates  
Kelley Drye  
Kilpatrick Townsend  
Kirkland & Ellis  
Latham & Watkins  
Locke Lord  
Mintz Levin

CLV001048

## Why Gibson Dunn Lost A Big Case To An Old Conflict

Gibson Dunn apparently missed a relationship with a Second Circuit judge when it agreed to represent private equity magnate Lynn Tilton, a slip experts said was likely an honest mistake but shows the difficulties of recognizing conflicts decades after a former partner has moved on but retains firm ties.

## Mentor-Protege Rule A Boon For Contractors Big And Small

Although some small businesses may get left behind in the scramble for mentors, the U.S. Small Business Administration's much-anticipated final mentor-protege rule generally offers a broad new opportunity for contractors of all sizes, attorneys said.

## 3 Things To Know About Immigration Fine And Fee Increases

With fees and penalties for immigration-related applications and violations set to increase soon, attorneys share some crucial takeaways about the expected effect on the EB-5 visa program and the need for internal employer I-9 audits.

## Foreign Funds Slow To Buy US Property Despite Tax Change

Foreign pension funds have not ramped up their direct investment in U.S. real estate despite changes late last year to the Foreign Investment in Real Property Tax Act, and many firms remain unclear as to how exactly they might qualify for the new tax exemptions under FIRPTA, lawyers say.

## New Offshore Shutdown Cost Regs Offer Cos. A Soft Landing

Tougher financial requirements recently released by U.S. offshore regulators to ensure drillers can pay for shuttering their offshore operations could further squeeze companies already hurt by low oil prices, but experts say the guidelines offer enough flexibility in satisfying those requirements to keep companies from collapsing beneath their cleanup obligations.

## BANKING & SECURITIES

### UK Watchdog Weighs Tweaks To Capital Buffer Rulebook

The U.K.'s Prudential Regulatory Authority proposed clarifications Friday to guidelines that set out how banks are supposed to calculate the amount of capital they have to hold to protect against market downturns.

### Canadian Regulators Pick Board For Unified Market Authority

Provincial securities regulators and Canada's Minister of Finance said Friday that they have selected the board of directors for the new regulatory authority that will oversee a unified system of capital market regulation in the country.

## ENERGY & ENVIRONMENTAL

### Regional Del. River Agency Wants Fracking Ban Suit Tossed

The Delaware River Basin Commission on Friday urged a Pennsylvania federal judge to toss a lawsuit challenging an alleged moratorium on natural gas development, saying the landowner bringing the suit must take up its case with the commission itself.

### Greens, Funds Press SEC For Better Environmental Disclosure

Environmental advocates on Thursday urged the U.S. Securities and Exchange Commission to require companies to disclose environmental, social and governance risks to investors.

### EPA Blew Deadlines For Ozone Plans In 16 States, Suit Says

Three nonprofits sued the U.S. Environmental Protection Agency in California federal court on Thursday, alleging that the agency failed to hold several states accountable for not turning in elements of their plans to improve ozone-polluted

Morgan Lewis  
Morrison & Foerster  
Ober Kaler  
Polsinelli  
Quinn Emanuel  
Reed Smith  
Ropes & Gray  
Shearman & Sterling  
Sidley Austin  
Skadden  
Sullivan & Cromwell  
Sutherland Asbill  
Thompson & Knight  
Venable LLP  
Vinson & Elkins  
Winthrop & Weinstine  
Wolf Greenfield  
Womble Carlyle

## COMPANIES

AT&T Inc.  
ATP Oil & Gas Corporation  
Aetna Inc.  
Alliance of Automobile  
Manufacturers  
American Cable Association  
American Civil Liberties Union  
American Society Of Composers  
Authors & Publishers  
Anheuser-Busch Inbev SA/NV  
Anthem Inc.  
Bank of England  
CIGNA Corporation  
California State Teachers  
Employees' Retirement System  
Center for Biological Diversity Inc.  
Comcast Corporation  
Delaware Riverkeeper Network  
Ernst & Young  
Facebook  
Global Automakers  
HSBC Holdings PLC  
Harleysville Group Inc.  
Hostess Brands Inc.  
Humana Inc.  
LinkedIn Corp.  
MillerCoors LLC  
National Association Of Real  
Estate Investment Trusts Inc.  
National Association of  
Broadcasters  
National Basketball Association  
National Cable &

areas.

### **Interior Should Improve Gas Emissions Accounting, GAO Says**

The U.S. Department of the Interior should do more to account for natural gas emissions from oil and gas operators on onshore federal lands and offer better reporting requirement guidelines for operators, the U.S. Government Accountability Office said in a report released Thursday.

## **HEALTH & LIFE SCIENCES**

### **Humana To Largely Drop Out Of ACA Marketplace**

Humana Inc. will be pulling out of “substantially all” state marketplaces created under the Affordable Care Act, likely leaving all but 11 states, the insurer said on Thursday in an earnings report.

### **Alaska Parental Consent Abortion Law Found Unconstitutional**

The Alaska Supreme Court on Friday ruled that a law requiring minors to get parental consent before receiving an abortion is unconstitutional as it treats pregnant minors who are carrying a child to term differently than those who aren’t.

## **IP & TECHNOLOGY**

### **After Claiming RNC Crown, Trump Snubbed By Queen**

Although Donald Trump has claimed victory in the Republican primary process, he has no friends in the band Queen, who have pulled his rights to play the song “We Are the Champions” after the nominating convention this week.

## **TRANSPORTATION & INFRASTRUCTURE**

### **NJ Lawmakers Unveil Deal On Transportation Fund, Tax Cuts**

Democratic leaders of New Jersey’s Senate and Assembly on Friday unveiled a proposal to collect more than \$1 billion annually for improvements to the state’s roads, bridges and mass transit systems through a gas tax hike, while also providing tax cuts for poorer workers, retirees, estate heirs, motorists and veterans.

### **Auto Industry Group Floats Cybersecurity Best Practices**

The automotive industry’s cyberthreat information sharing group on Thursday released a set of privacy best practices aimed at guarding against cybersecurity risks that may arise as cars become increasingly connected to the internet and to one another.

## **EMPLOYMENT**

### **Chamber Of Commerce Criticizes Executive Incentive Pay Rule**

The U.S. Chamber of Commerce on Thursday said that a proposed rule to regulate incentive compensation for senior bank executives, traders and other financial services employees is fraught with problems and has the potential to chill the kind of risk-taking that spurs economic growth and job creation.

## **PRIVACY & CONSUMER PROTECTION**

### **US, HSBC Urge 2nd Circ. To Block Money Laundering Report**

The U.S. and HSBC Bank USA NA both told the Second Circuit to vacate a lower court’s decision to partially unseal a report into the bank’s failures to combat money laundering, saying the document is irrelevant to any judicial function.

Telecommunications Association  
Nationwide Mutual Insurance Co.  
New York Times Co.  
Oregon State Bar  
Planned Parenthood Federation  
PricewaterhouseCoopers  
Public Knowledge  
Quicken Loans Inc.  
SABMiller  
STEC, Inc.  
Sierra Club  
State Bar of California  
The Cato Corporation  
Toyota Motor Corporation  
Twitter Inc.  
U.S. Chamber of Commerce  
UnitedHealth Group Inc.  
Wal-Mart Stores Inc.  
Xerox Corporation

## **GOVERNMENT AGENCIES**

Bureau of Land Management  
Bureau of Ocean Energy Management  
Delaware River Basin Commission  
Department of Commerce  
European Commission  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Housing Finance Agency  
Federal Railroad Administration  
Food Safety and Inspection Service  
Government Accountability Office  
Immigration and Customs Enforcement  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
Occupational Safety and Health Administration  
Office of Natural Resources Revenue  
Office of the Comptroller of the Currency  
Pipeline and Hazardous Materials Safety Administration

GOVERNMENT CONTRACTS

Mentor-Protege Program Expanded By Final SBA Rule

The U.S. Small Business Administration on Friday released a final rule putting in place a long-awaited expansion to its mentor-protege program, expanding the program to cover all small businesses.

Updated Law Of War Manual Emphasizes Reporter Protections

The U.S. Department of Defense announced the release Friday of an updated version of its massive tome detailing the law of war, with “substantial revisions” to how the manual discusses journalists, including added emphasis on their importance and the need for their protection as civilians.

INTERNATIONAL TRADE

Lords Say Brexit Talks Need Parliamentary Oversight

The European Union Committee of the U.K.’s House of Lords issued a report Friday calling for the committee to have an oversight role in all stages of the Brexit negotiations.

TAX

Jersey City Wins Appeal Over Developers' Tax Abatements

A New Jersey state appeals court said Friday a developer could not keep more profits under tax abatement deals with Jersey City based on subsequent changes to state law, finding that contract language requires the builder to use a calculation method in place when the agreements were reached.

TELECOMMUNICATIONS

Consensus Still Lacking In FCC's Set-Top Box Debate

Discussions between the Federal Communications Commission and industry stakeholders over a proposal to increase competition for pay-TV boxes have moved the agency closer to a final plan, but the commission may still have a ways to go before reaching a real consensus, experts say.

US Spent \$2.6B-Plus On Afghan Telecom Sector, Audit Says

The U.S. government has poured at least \$2.6 billion into Afghanistan's telecommunications sector, and possibly much more, as accurate figures from the Pentagon and others are difficult to come by, a federal watchdog agency overseeing Afghan reconstruction said in an audit published Friday.

Group Wants Rural Broadband Cash Pegged To Urban Speeds

The American Cable Association on Thursday recommended that the Federal Communications Commission partially base its “weighting formula” for companies vying for rural broadband expansion dollars to the preferences of urban consumers for data usage and speed.

Advocates Press FCC To Keep Newspaper Ownership Rule

Advocacy group Common Cause told the Federal Communications Commission on Thursday to maintain its newspaper broadcast cross-ownership rule, which places restrictions on media ownership, saying that the rule “is as timely and important now as when it was instituted.”

EXPERT ANALYSIS

Securities and Exchange Commission  
Small Business Administration  
Special Inspector General for Afghanistan Reconstruction  
U.S. Agency for International Development  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Patent and Trademark Office  
U.S. Supreme Court  
United Nations  
World Bank Group

## **DOT Oil Train Rule Proposes Costly Requirements**

A recently proposed rule by the U.S. Department of Transportation intends to improve oil spill response readiness and mitigate effects of rail incidents involving petroleum oil and certain high-hazard flammable trains. However, the expanded requirements would likely impose substantial costs and burden on railroads and could increase the price of crude oil transport by rail, say attorneys at Baker Botts LLP.

## **USDA Food Safety Data Plan Hints At Larger Institutional Goals**

With the U.S. Department of Agriculture's Food Safety and Inspection Service's announcement of its plan to share more food safety data regarding slaughter and processing facilities, it seems clear that the agency hopes such publicity will provide additional stimulus for a race to the top in the area of pathogen reduction, say Robert Hibbert and Hilary Lewis at Morgan Lewis & Bockius LLP.

## **PROMESA Shields Puerto Rico Behind A New Automatic Stay**

Tucked at the end of the Puerto Rico Oversight, Management, and Economic Stability Act is a stand-alone provision that promises an immediate impact not merely on bondholders and other creditors seeking to enforce payment and remedies, but on any person or entity seeking to enforce rights generally against the government of Puerto Rico or any "territorial instrumentality," says Michael Cooley of Bryan Cave LLP.

## **LEGAL INDUSTRY**

### **6 Ways Firms Can Increase Lawyer Productivity**

With associate pay on the rise and competition for legal work as fierce as ever, getting solid billable hours from attorneys is crucial to your firm's success. Experts say increasing productivity requires out-of-the-box thinking along with a willingness to change firmwide practices and build better internal relationships.

### **3 Tips For Becoming A Family-Friendly Law Firm**

When law firms ignore lawyers' personal needs and their lives outside work, experts say they lose out on valuable opportunities to attract and retain talent. Here, legal industry gurus offer tips on how firms can become family-friendly and retain talented lawyers.

### **Shearman & Sterling Account Held Stolen Funds, Feds Say**

The U.S. Department of Justice claims that more than \$1 billion in assets were acquired with money stolen by corrupt Malaysian officials from a state-owned investment fund and that illicit funds were moved through a Shearman & Sterling LLP trust account.

### **Ex-Fox Rothschild Atty Gets 6 Months For Insider Trading**

A former Fox Rothschild LLP attorney was slapped with a six-month prison sentence on Friday following his conviction on charges that he used insider information to trade ahead of a \$760 million insurance industry merger his firm was helping to handle.

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

The government says overworked patent examiners are leading to poor patents, Wal-Mart prevails at the Eighth Circuit in a bribery-related shareholder suit, and the U.S. Small Business Administration expands a program aimed at helping smaller companies learn from its more sizable counterparts. Those stories top the corporate legal news you may have missed this past week.

### **Calif. Bar In Need Of 'Significant Changes,' Task Force Says**

A task force appointed by the State Bar of California on Thursday told the administrative body that it has identified several problems in need of fixing, including with the bar's system of attorney discipline and overall mission of public protection.

## Ernst & Young Hires Belfast Axiom Exec For UK Legal Team

Ernst & Young has hired an executive from legal process outsourcing firm Axiom Law to its United Kingdom law team, the firm said this week, as it becomes the latest company to set up shop in Belfast to offer companies ways to cut costs on high volumes of less complex legal work.

## In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

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Hogan Lovells  
Mintz Levin  
Morgan Lewis  
Akin Gump  
Axiom Law  
Baker & McKenzie  
Baker Botts  
Bancroft PLLC  
Barran Liebman  
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Crowell & Moring  
Debevoise & Plimpton  
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Fox Rothschild  
Fragomen Del Rey  
Frankfurt Kurnit  
Fried Frank  
Greenberg Glusker  
Herbert Smith Freehills  
High Swartz  
Holland & Knight  
Jones Day  
Jones Walker  
K&L Gates  
Kelley Drye  
Kilpatrick Townsend  
Kirkland & Ellis  
Latham & Watkins  
Locke Lord  
Morrison & Foerster  
Ober Kaler  
Polsinelli  
Quinn Emanuel



Reed Smith  
Ropes & Gray  
Shearman & Sterling  
Sidley Austin  
Skadden  
Sullivan & Cromwell  
Sutherland Asbill  
Thompson & Knight  
Venable LLP  
Vinson & Elkins  
Winthrop & Weinstine  
Wolf Greenfield  
Womble Carlyle

#### COMPANIES

Aetna Inc.  
American Cable Association  
Anthem Inc.  
CIGNA Corporation  
Humana Inc.  
Planned Parenthood Federation  
AT&T Inc.  
ATP Oil & Gas Corporation  
Alliance of Automobile Manufacturers  
American Civil Liberties Union  
American Society Of Composers Authors & Publishers  
Anheuser-Busch Inbev SA/NV  
Bank of England  
California State Teachers Employees' Retirement System  
Center for Biological Diversity Inc.  
Comcast Corporation  
Delaware Riverkeeper Network  
Ernst & Young  
Facebook  
Global Automakers  
HSBC Holdings PLC  
Harleysville Group Inc.  
Hostess Brands Inc.  
LinkedIn Corp.  
MillerCoors LLC  
National Association Of Real Estate Investment Trusts Inc.  
National Association of Broadcasters  
National Basketball Association  
National Cable & Telecommunications Association  
Nationwide Mutual Insurance Co.  
New York Times Co.  
Oregon State Bar  
PricewaterhouseCoopers  
Public Knowledge  
Quicken Loans Inc.  
SABMiller

STEC, Inc.  
Sierra Club  
State Bar of California  
The Cato Corporation  
Toyota Motor Corporation  
Twitter Inc.  
U.S. Chamber of Commerce  
UnitedHealth Group Inc.  
Wal-Mart Stores Inc.  
Xerox Corporation

#### GOVERNMENT AGENCIES

Federal Communications Commission  
U.S. Department of Justice  
U.S. Supreme Court  
Securities and Exchange Commission  
Small Business Administration  
European Commission  
Government Accountability Office  
U.S. Patent and Trademark Office  
Bureau of Land Management  
Bureau of Ocean Energy Management  
Delaware River Basin Commission  
Department of Commerce  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Housing Finance Agency  
Federal Railroad Administration  
Food Safety and Inspection Service  
Immigration and Customs Enforcement  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
Occupational Safety and Health Administration  
Office of Natural Resources Revenue  
Office of the Comptroller of the Currency  
Pipeline and Hazardous Materials Safety Administration  
Special Inspector General for Afghanistan Reconstruction  
U.S. Agency for International Development  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
United Nations  
World Bank Group



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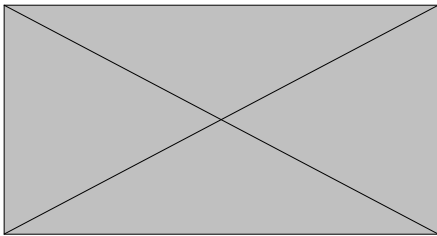
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Brennan Center for Justice  
**Sent:** Thur 3/5/2015 7:13:28 PM  
**Subject:** Latest News: Redistricting Laws Before the U.S. Supreme Court, Texas Voter ID Heads Back to Court

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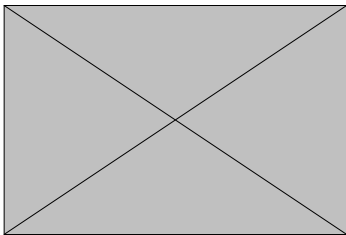
## Latest News

### [Redistricting Reform Commissions at Risk](#)



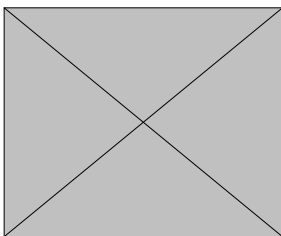
The U.S. Supreme Court heard oral argument this week in a [case](#) that could have drastic and far-reaching consequences for election laws, including redistricting commissions, passed by ballot initiative. An editorial in [The New York Times](#) linked to our [interactive map](#) of states with laws at risk if the Court rules in favor of the Arizona legislature. Read more about the case from [Politico](#), [Bloomberg View](#), the [San Francisco Chronicle](#), and listen to **Michael Li** on [Arizona Public Media](#). Read the Brennan Center's amicus brief [here](#), which [Slate](#) called "amazingly well-argued."

### [Texas Voter ID Case Returns to Court](#)



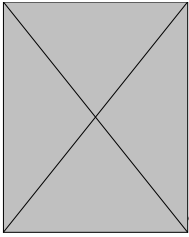
Texas's strict photo ID law violates Section 2 of the Voting Rights Act and was passed by the legislature with intent to discriminate, the Brennan Center and others argued in a [brief filed](#) Tuesday in the Fifth Circuit Court of Appeals. A U.S. district court judge struck down the law last October, but the Supreme Court allowed it to remain in effect for the 2014 election, potentially [disenfranchising](#) thousands of Texans. The Fifth Circuit is currently hearing Texas's appeal of the district court ruling. The Brennan Center is [part of the legal team](#) challenging the law. Oral arguments are set for the end of April.

### [Brennan Center Testifies at Senate Whistleblower Hearing](#)



Former FBI agent and Brennan Center Fellow **Michael German** (left) [testified](#) at a Senate Judiciary Committee [hearing](#) Wednesday about his experience with current Justice Department whistleblower guidelines. "I know the toll exacted on whistleblowers because I resigned from the FBI after this system failed to protect me from retaliation for internally reporting a mismanaged terrorism investigation," he said. The hearing follows the release of a Government Accountability Office [report](#) finding Justice Department regulations for investigating and adjudicating FBI whistleblower claims are inadequate and need reform. Read more from [The Washington Times](#) and [Computer World](#).

### [Top Ethics Experts Question Judges' Role in Big Money Case](#)



“Appropriate recusal standards are vital to the impartial administration of justice, especially in an era of dramatically increasing campaign spending in judicial elections,” argues an [amicus brief](#) submitted by the Brennan Center this week on behalf of the nation’s top legal ethicists. Last month, a special prosecutor investigating possible illegal coordination between Wisconsin Gov. Scott Walker’s 2012 recall election campaign and special interest groups asked one or more Wisconsin Supreme Court justices to step aside from ruling on the case. Media reports indicate the independent political groups also spent millions in support of four of the seven state justices during their election campaigns. “It is very gratifying to have so many of the nation’s top experts on legal ethics weighing in,” said **Matthew Menendez**. “When millions are spent on behalf of judicial candidates, all kinds of new issues arise. These justices should follow the rules for when to step aside.” Read more from the [Journal Sentinel](#).

### [This Week from Brennan Center Fellows and Scholars](#)

#### [Just Facts: Introducing What Caused the Crime Decline?](#)

**Oliver Roeder** discusses how a new Brennan Center [report](#) is an interdisciplinary look at mass incarceration’s limited role in the last two decades’ dramatic crime decline.

#### [It’s Time for Congress to Be Bold on Criminal Justice Reform](#)

We will not solve our prison crisis by only focusing on what happens after people go to prison. **Nicole Austin-Hillery** and **Jessica Eaglin** explain how we must stop the problem before it starts.

### [Featured Events](#)

#### [Rethinking Intelligence: What Will National Security Policy Look Like in 10 Years?](#)

Join the Brennan Center and Defense One in Washington, D.C., on Wednesday, March 11 for a launch event for the [Rethinking Intelligence](#) video series. In partnership with [Defense One](#), former FBI veteran and Brennan Center Fellow **Michael German** interviewed former intelligence officials, congressional staffers, academic researchers, and advocates for an inside look at underlying structural and strategic problems in U.S. intelligence programs. Interviews from the [video](#) project will also be screened. Click [here](#) for more information and to RSVP.

#### [Democracy’s Problems and Prospects: A Book Talk with Douglas Schoen](#)

Join the Brennan Center on Tuesday, March 17 for a book talk with longtime political strategist and polling expert Douglas Schoen. Schoen’s new book, “Democracy’s Problems and Prospects” is a collection of his writings. For more information and to RSVP, click [here](#).

See more events [here](#).

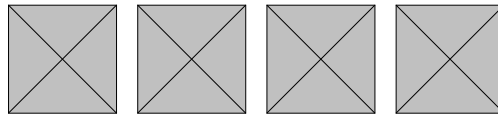
### [Brennan Center in the News](#)

- “This is a perfect time for the White House to try to get Americans focused on protecting voting rights,” **Nicole Austin-Hillery** told [Agence France-Presse](#) on the eve of the 50th anniversary of the Selma march.
- **Oliver Roeder** and **Lauren-Brooke Eisen** analyzed how different states were able to decrease prison populations while also decreasing crime in [Politico Magazine](#).
- Rick Rosenberg, the chair of the National Academy of Science’s Roundtable on Understanding Crime Trends, [reviewed](#) the Brennan Center’s recent report, [What Caused the Crime Decline?](#), and called it “an ambitious empirical investigation ... important for what it did — and did not — reveal as causes of the crime decline.” He added, “Social scientists, with constructive prodding by the press and policymakers, need to build on this important work and continue searching for answers.”
- “This effort to shut it down is taking place before it even has geared up,” **Wendy Weiser** told [The Clarion-Ledger](#) about GOP efforts to eliminate the Election Assistance Commission.

Read more Brennan Center in the News [here](#).

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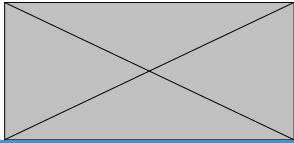
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 10/11/2017 7:32:42 AM  
**Subject:** Trump Complicates DACA Negotiations With Latest Demands



**PUBLIC POLICY.**

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**Wednesday, October 11, 2017**

### TOP NEWS

#### Analysis

#### **Trump Complicates DACA Negotiations With Latest Demands**

This weekend President Donald Trump released a laundry list of immigration items he wants included in a deal for Deferred Action for Childhood Arrivals recipients, throwing a wrench into the negotiation process and leaving some attorneys doubtful that a legislative solution can be reached. [Read more »](#)

#### **Justices End One Immigration Ban Row After Order Expires**

The U.S. Supreme Court pulled the plug on the government's bid to reinstate an iteration of President Donald Trump's revised immigration ban, saying in a short order Tuesday that the provision of the executive order at the heart of the controversy has expired. [Read more »](#)

#### **Trump Taps Greenberg Traurig Vet As Acting HHS Chief**

President Donald Trump late Tuesday named a former Greenberg Traurig LLP attorney as acting secretary of the U.S. Department of Health and Human Services. [Read more »](#)

#### **EPA Chief Pruitt Kick-Starts Clean Power Plan Rollback**

U.S. Environmental Protection Agency Administrator Scott Pruitt signed a proposed rule on Tuesday to repeal the Clean Power Plan and undo a cornerstone of the Obama administration's efforts to reduce climate change-causing emissions, setting the stage for an inevitable legal battle with CPP supporters. [Read more »](#)

#### **Mark Your Calendar: High Court To Consider Abolishing PTAB**

The U.S. Supreme Court has scheduled oral arguments for the Monday after Thanksgiving in what is expected to be the biggest patent law case of the term, as it considers whether America Invents Act reviews by the Patent Trial and Appeal Board violate the U.S. Constitution. [Read more »](#)

#### **Chamber Head Blasts Trump's 'Unacceptable' NAFTA Tactics**

U.S. Chamber of Commerce President Tom Donohue on Tuesday intensified the powerful business group's crusade against the Trump administration's approach to negotiating the North American Free Trade Agreement, which he said has been riddled with "unnecessary and unacceptable" proposals from the U.S. side. [Read more »](#)

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#### **LAW FIRMS**

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Ballard Spahr  
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Blank Rome  
Bracewell  
Bryan Cave  
Cadwalader Wickersham  
Capozzi Adler  
Cleary Gottlieb  
Covington & Burling  
Cravath Swaine  
Dacus Law Firm  
Dentons  
Dewey & LeBoeuf  
Dilworth Paxson  
Dorsey & Whitney  
Earthjustice  
Eversheds Sutherland  
Fish & Richardson  
Fox Rothschild  
Fragomen Del Rey  
Gillam & Smith  
Godfrey & Kahn  
Greenbaum Rowe  
Greenberg Traurig  
Hangley Aronchick  
Hogan Lovells  
Holland & Knight

CLV001060

**US Urged To Take Action Against China's IP Infractions**

Companies from the technology, energy and other sectors weighed in Tuesday on the Trump administration's sweeping audit of China's intellectual property policies, detailing Beijing's alleged enforcement shortcomings and nudging the White House to take appropriate action. [Read more »](#)

**Analysis**

**Trump's Clean Power Plan Repeal Will Face Legal Gauntlet**

The Trump administration on Tuesday took the first step to unwind former President Barack Obama's signature climate change action by formally proposing to repeal the Clean Power Plan, but CPP supporters have already vowed to fight any repeal in court. Here are four legal issues to watch as the proposed repeal moves through the rulemaking process, and toward the courtroom. [Read more »](#)

**House Dems Ask DOD For Memos On Transgender Ban**

A majority of Democrats in the House of Representatives want to know what, if any, consultation there was between the White House and military leaders on President Donald Trump's announced ban of transgender service in the military, according to a letter released Tuesday. [Read more »](#)

**BANKING & SECURITIES**

**Don't Drive 'Train' Through Risk Retention, DC Circ. Told**

The U.S. Securities and Exchange Commission and the board of governors of the Federal Reserve System on Tuesday urged a D.C. Circuit panel in oral arguments not to drive a "freight train" through requirements that investment firms retain an interest in debt securities they issue. [Read more »](#)

**Analysis**

**Justices To Weigh Corporate Liability In Terror Connections**

Oral arguments set for Wednesday at the U.S. Supreme Court in a case over a Jordanian bank's alleged ties to Palestinian militant groups could provide one of the first hints of the justices' views on corporate liability for terror financing, human rights abuses and other violations of international law, experts say. [Read more »](#)

**ENERGY & ENVIRONMENTAL**

**Analysis**

**High Court Set To Hear Clean Water Rule Arguments**

A crucial battle over whether legal challenges to an Obama-era Clean Water Act rule belong in federal district or appellate courts comes to a head Wednesday at the U.S. Supreme Court as industry and environmental petitioners square off against the federal government. [Read more »](#)

**'No Harm, No Foul,' DC Circ. Suggests In Uranium Mining Row**

A D.C. Circuit panel was skeptical on Tuesday of forcing the U.S. Nuclear Regulatory Commission to rethink a green light it gave a uranium mining project, with the judges pushing back on environmental advocates' concerns and wondering if there was "no harm, no foul" because the agency ultimately mulled, and rejected, groundwater contamination fears. [Read more »](#)

**HEALTH & LIFE SCIENCES**

**Menendez Advocacy Fell Between PAC Donations, Agent Says**

A Florida ophthalmologist's lawyer interacted with Sen. Bob Menendez's staff in 2012 on advocating to executive branch officials about a Medicare policy affecting the doctor around when the physician made \$600,000 in political donations benefiting the New Jersey Democrat, according to testimony Tuesday at the senator and doctor's bribery trial. [Read more »](#)

Hunton & Williams

Jones Day

Katz Marshall

King & Wood Mallesons

Kirkland & Ellis

Kobre & Kim

Latham & Watkins

Lawyers' Committee for Civil Rights

Locke Lord

Mayer Brown

McDermott Will

Meeks Sheppard

Mitchell Silberberg

Morgan Lewis

Morrison & Foerster

Nix Patterson

Norton Rose Fulbright

O'Melveny & Myers

O'Neill & Borges

Ogletree Deakins

Orrick Herrington

Paul Hastings

Paul Weiss

Powers Pyles

Proskauer Rose

Rathje & Woodward

Reed Smith

Ropes & Gray

Schiff Hardin

Sequor Law

Shearman & Sterling

Sidley Austin

Sterne Kessler

Stradley Ronon

Sughrue Mion

Taft Stettinius

Tycko & Zavareei

Walker Wilcox

Ward Smith & Hill

WilmerHale

Wilson Sonsini

Winston & Strawn

**COMPANIES**

ATS Corporation

Aetna Inc.

Akorn, Inc.

Allergan PLC

American Bar Association

American Civil Liberties Union

Berkshire Hathaway Energy

## IP & TECHNOLOGY

### Allergan Ordered To Prove Tribe Patent Deal Isn't A 'Sham'

Allergan Inc. needs to prove that its controversial transfer of four patents for the dry eye treatment Restasis to the Saint Regis Mohawk Tribe was more than a "sham" before the tribe can be added to infringement litigation against Teva, Mylan and others, a federal judge in Texas said. [Read more »](#)

## INSURANCE

### Insurer Must Pay Chinese Garlic Duty, As US Suit Is Timely

The Court of International Trade has found that International Fidelity Insurance Co. owes an anti-dumping duty on Chinese garlic imports, because the U.S. government sued for the \$231,000 bond payment a day ahead of the expiration of a six-year statute of limitations. [Read more »](#)

### Pa. Panel Shields Insurers' Rates From Records Request

A Pennsylvania appeals court has issued a published ruling finding that the rates paid to nursing homes by insurers participating in the state's Medicaid program could not be made public through a records request filed under the Right To Know Law. [Read more »](#)

## PRIVACY & CYBERSECURITY

### Internet Device Frenzy Leaving Security Gaps, Officials Say

From smart TVs to Wi-Fi lightbulbs, the market for internet-connected devices rewards what's new and cheap, not necessarily what has good data security, officials from the Federal Trade Commission and Department of Commerce warned Tuesday at a conference on the fledgling "internet of things." [Read more »](#)

### Some Cybersecurity Every Day Will Keep The FTC Away

Businesses that take cybersecurity seriously and reasonable steps to protect their computer networks and other information may not be subject to additional regulation or agency action even if they get hacked, acting Federal Trade Commission Chairman Maureen Ohlhausen said Tuesday. [Read more »](#)

## GOVERNMENT CONTRACTS

### Whistleblower Asks 7th Circ. To Save Hastert Lobbying Suit

An associate of former U.S. House Speaker Dennis Hastert who filed and subsequently lost a whistleblower suit against the politician for allegedly misusing government funds blasted Hastert's bid to toss his Seventh Circuit appeal on Monday, saying the ex-lawmaker fails to show how the appellate court lacks jurisdiction. [Read more »](#)

## TAX

### EU Tax Dispute Rules Unveiled At ECOFIN

European Union finance ministers at the Economic and Financial Affairs Council meeting in Luxembourg Tuesday advanced new rules imposing deadlines on the resolution of tax disputes stemming from the interpretation of tax treaties. [Read more »](#)

### Cook County Committee Votes To Repeal Soda Tax

Cook County's experiment with a penny-per-ounce tax on soda and other sugary drinks will end Dec. 1 after an overwhelming vote on Tuesday to repeal the tax that

## Company

Blue Nile, Inc.  
Boston Celtics  
CBS Corporation  
CPI Corporation  
CTIA  
Center for Biological Diversity Inc.  
Chevron Corporation  
China Ocean Shipping Co.  
Cleveland Cavaliers  
Comcast Corporation  
Enbridge  
Equifax Inc.  
Exxon Mobil Corporation  
Facebook  
Financial Industry Regulatory Authority Inc.  
General Motors  
Hamilton Lane  
Independence Blue Cross Inc.  
JA Solar Holdings Co. Ltd.  
Lawyers' Committee for Civil Rights Under Law  
Leadership Council on Legal Diversity  
Lehman Brothers Holdings Inc.  
Murray Energy Corp.  
Mylan NV  
National Association of Insurance Commissioners  
National Association of Manufacturers  
National Cable & Telecommunications Association  
National Congress of American Indians  
National Immigration Law Center  
National Indian Gaming Association  
National Rural Electric Cooperative Association  
Natural Resources Defense Council  
Oil States International Inc.  
Pfizer Inc.  
Royal Dutch Shell PLC  
SAS Institute  
SEI Investments Company  
Sierra Club  
Southern Poverty Law Center  
Spectra Energy  
Temple University  
Teva Pharmaceutical Industries Limited

CLV001062



only just went into effect in early August. [Read more »](#)

#### Analysis

### Philly Cases Point To Coming Wave Of Pa. Property Tax Fights

A trio of recently filed property tax challenges in Philadelphia signal the start of what attorneys say is a rising tide of litigation following a landmark Pennsylvania Supreme Court ruling declaring it unconstitutional to selectively dispute assessments for high-value properties. [Read more »](#)

## BANKRUPTCY

### Fee Examiner Appointed In Puerto Rico Utility Restructuring

The federal judge overseeing Puerto Rico's bankruptcy-like restructuring process has appointed a fee examiner to review many of the expense and fee requests submitted by attorneys working on the landmark \$123 billion case. [Read more »](#)

### Racetrack Co. With Blago Ties Can't Save \$21M Coverage Bid

An Illinois federal judge on Tuesday reiterated that RSUI Indemnity Co. need not defend a bankrupt racetrack operator in a \$21 million suit claiming it made money transfers to shareholders despite revelations of its role in a bribery case involving former Illinois Gov. Rod Blagojevich, saying a policy clause specifically excludes such claims. [Read more »](#)

## IMMIGRATION

### Trump's Travel Ban Hit With New Legal Challenges

Nonprofit organizations and individuals in recent days filed a fresh volley of legal challenges to the Trump administration's bid to install a travel ban against nationals of several countries, questioning the move's constitutionality, seeking a temporary pause and inquiring about its details. [Read more »](#)

### Mayors Urge Congress To Quickly Pass DACA Replacement

The U.S. Conference of Mayors on Tuesday called on federal lawmakers to quickly pass new legislation that would protect young unauthorized immigrants living in the U.S. under the Deferred Action for Childhood Arrivals program, which is currently being phased out by the Trump administration. [Read more »](#)

## NATIVE AMERICAN

#### Analysis

### Tribes Look To Gain Ground In Congressional Tax Push

As federal taxes take the spotlight on Capitol Hill, tribes will try to capitalize by convincing lawmakers to incorporate changes to the tax code that put Native American governments on equal footing with state and local governments, while trying to protect the few edges tribes have under current law, experts say. [Read more »](#)

## TELECOMMUNICATIONS

### FCC Can't Expect Quick Fix On Wireless Rollout, Groups Say

Several telecommunications industry leaders urged the Federal Communications Commission not to seek immediate results in its investigation into the deployment of wireless service nationwide, but rather to consider incremental progress and long-term outlooks. [Read more »](#)

## PEOPLE

The Bank of New York Mellon Corporation

The Wireless Internet Service Providers Association

Twitter Inc.

U.S. Chamber of Commerce

Uber Technologies Inc.

Vestas Wind Systems

Vizio Inc.

Washington Post Co.

## GOVERNMENT AGENCIES

Army Corps of Engineers

Centers for Medicare & Medicaid Services

Central Intelligence Agency

Department of Commerce

European Commission

European Union

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

Federal Reserve System

Federal Trade Commission

Food and Drug Administration

NAFTA

National Telecommunications and Information Administration

New Jersey Legislature

New York Attorney General's Office

Nuclear Regulatory Commission

Office of Foreign Assets Control

Office of the U.S. Trade Representative

Pennsylvania Supreme Court

Securities and Exchange Commission

St. Regis Mohawk Tribe

U.S. Customs and Border Protection

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Justice

U.S. Department of State

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. Immigration and Customs Enforcement

U.S. Patent and Trademark Office

U.S. Senate



## Analysis

### Mass. AG Runs Point As Top Trump Critic

A hotbed of the opposition to President Donald Trump's administration is here in a corner office on the 20th floor of Ashburton Plaza in Boston, surrounded by dazzling views of the Charles River and a basketball signed by Celtics legend Bob Cousy.

[Read more »](#)

## EXPERT ANALYSIS

### Assessing Constitutional Constraints On Immigrant Detention

Jennings v. Rodriguez — which questions whether the U.S. Constitution allows for open-ended and limitless mandatory detention of an immigrant without a hearing — made its way to the U.S. Supreme Court for the second time last week. During a spirited oral argument, the justices seemed to suggest that there are constitutional constraints on the government's ability to detain immigrants, says Ava Benach of Benach Collopy LLP. [Read more »](#)

### NY's New Stance On Sealing Old Felony Convictions

In a largely unheralded development, New York state recently authorized state courts to seal nonviolent criminal convictions that are more than 10 years old. The statute, one of the most expansive record-sealing provisions in the nation, represents an abrupt and dramatic about-face for New York, says attorney David Gourevitch. [Read more »](#)

### How States Are Trying New Strategies To Collect Sales Tax

States historically have had difficulty collecting sales tax from out-of-state sellers, thanks to the U.S. Supreme Court's Quill decision. But recent laws aimed at forcing online marketplaces to collect sales tax or comply with certain reporting requirements show that states are getting creative in pursuing tax revenue, say attorneys at Eversheds Sutherland LLP. [Read more »](#)

### Revoking Sudan Sanctions Brings New Prospects, Old Risks

Revocation of the Sudanese Sanctions Regulations will create additional opportunities for U.S. companies to do business in — and with — Sudan. Effective Oct. 12, the step also follows a broader trend across U.S. sanctions policy in favor of narrower sanctions targeting specific actors and categories of transactions, say attorneys with Ropes & Gray LLP. [Read more »](#)

### The Clock Is Ticking For US Reinsurance Credit Laws

Last month, the U.S. Department of the Treasury, U.S. Trade Representative and the European Union executed the covered agreement finalizing approaches regarding controversial areas of insurance regulation. The U.S. must begin deliberations on the federal preemption of state insurance laws inconsistent with the covered agreement by July 2020, say attorneys with Mayer Brown LLP. [Read more »](#)

### Asian-Americans Facing Challenges In The Legal Industry

Asian-Americans are the fastest-growing minority in the legal profession, but are scarce at its higher levels. Recent studies confirm their underrepresentation among partners, prosecutors, judges and law school administrators. Legal industry leaders must take action, say Goodwin Liu, associate justice of the California Supreme Court, and Ajay Mehrotra of the American Bar Foundation. [Read more »](#)

## LEGAL INDUSTRY

### 4 Ways GCs Can Plan For When Employees Say Bad Things

The Las Vegas mass shooting that resulted in at least 58 deaths and hundreds of injuries on Oct. 1 led many Americans to release their emotions on their personal social media accounts — and some are facing consequences from their employers for publicly making insensitive remarks about the people involved in the tragedy. Here, Law360 identifies four steps companies and their legal counsel can take to

U.S. Supreme Court

World Trade Organization

head off similarly problematic situations with employees. [Read more »](#)

### **Winston & Strawn Looks To Arbitrate Ex-IP Atty's Bias Suit**

Winston & Strawn LLP is hoping to send a former intellectual property partner's sex discrimination lawsuit to arbitration, telling a San Francisco judge that "a sophisticated lawyer with decades of legal experience" should have known she was compelled by her partnership agreement to dispute her claims outside of court.

[Read more »](#)

### **Fish & Richardson Offers New Parents More Benefits**

Fish & Richardson PC has become the latest law firm to beef up its parental leave policy, announcing Tuesday that it now offers primary caregivers up to 18 weeks of paid leave and has launched a new phased hours program that allows parents to opt for a reduced schedule. [Read more »](#)

### **Ex-Dewey CFO Dodges Prison Time For Fraud Scheme**

Former Dewey & LeBoeuf LLP Chief Financial Officer Joel Sanders on Tuesday was sentenced to community service and ordered to pay a \$1 million fine following his conviction on fraud and conspiracy charges for what prosecutors say was a scheme to con the firm's financial backers before the firm collapsed. [Read more »](#)

### **Pa. Bar Passage Rates Rise, But Not To Previous Levels**

Pennsylvania's bar passage rates have ticked up, with 81.2 percent of first-time applicants passing the exam in July, up from historic lows last July, the Pennsylvania Board of Law Examiners revealed. [Read more »](#)

### **15 Minutes With Hamilton Lane's General Counsel**

Lydia A. Gavalis recently assumed the role of general counsel for the alternative investment management firm Hamilton Lane after about a year as the firm's deputy general counsel. Law360 spoke with Gavalis about her ambitions for the company, the uncertainty surrounding future regulatory changes and her biggest piece of advice for outside counsel. [Read more »](#)

### **Global 20: Reed Smith**

Reed Smith LLP advised on a \$3.6 billion merger between Chinese shipping companies and continued to represent Bank of New York Mellon in the Argentine and Puerto Rican bond default litigation, all while adding new offices in Miami and Europe — accomplishments that landed the firm on Law360's Global 20 list. [Read more »](#)

#### **Series**

### **My Supreme Court Debut: Part Of The Show**

Despite thorough preparation for my first argument before the U.S. Supreme Court, when I stood at the podium to deliver my opening lines, my legs were shaking like Elvis' (although involuntarily and I hoped not too visibly). But when the first question came it calmed me immediately, says Stephen Kinnaird of Paul Hastings LLP. [Read more »](#)

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Uber Technologies Inc.  
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U.S. Environmental Protection Agency  
European Union  
New York Attorney General's Office  
U.S. Senate  
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Federal Bureau of Investigation  
Federal Communications Commission  
Federal Trade Commission  
Securities and Exchange Commission  
U.S. Department of Health and Human Services  
U.S. Department of State  
U.S. Department of the Treasury  
Army Corps of Engineers  
Centers for Medicare & Medicaid Services  
Central Intelligence Agency  
European Commission  
Executive Office of the President  
Federal Reserve System  
Food and Drug Administration  
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National Telecommunications and Information Administration  
New Jersey Legislature  
Nuclear Regulatory Commission  
Office of Foreign Assets Control  
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]; Jason Roeller[jroeller@LasVegasNevada.GOV]  
**Cc:** Orlando Sanchez[osanchez@LasVegasNevada.GOV]; Lora Kalkman[lkalkman@LasVegasNevada.GOV]  
**From:** Betsy Fretwell  
**Sent:** Sun 3/1/2015 6:18:58 PM  
**Subject:** RE: Fire Alarm Office Staffing is at Critical levels

Mayor, I am happy to look into this.

Betsy

-----Original Message-----

From: Carolyn G. Goodman  
Sent: Thursday, February 26, 2015 1:42 PM  
To: Jason Roeller  
Cc: Betsy Fretwell; Orlando Sanchez; Lora Kalkman  
Subject: RE: Fire Alarm Office Staffing is at Critical levels

Hi Jason:

With City Hall closed tomorrow and our Manager out-of-town, I am emailing her and the Deputy City Manager, Orlando Sanchez, to look into this as soon as possible. Thank you for your open communication, and I am hopeful that they will find out what is occurring and work to resolve the problem(s) next week.

Mayor Goodman  
Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

-----Original Message-----

From: Jason Roeller  
Sent: Wednesday, February 25, 2015 11:53 AM  
To: Carolyn G. Goodman  
Cc: Jason Roeller  
Subject: Fire Alarm Office Staffing is at Critical levels

Mrs Mayor Goodman:

I work in the Fire Alarm Office and have for 15 years. Our office staff is painfully struggling thru a massive staff shortage. We are severely understaffed and have been for years now. Our employees are working massive amounts of overtime to keep our staffing requirements to safe levels. Our employees are working extra shifts, up to 16 hour days with only an 8 hour break in between and we are falling apart at the seams. Our E-staff is telling us that the hold up to hire new employees is due to lack of personnel at Human Resources being able to fast track our hiring procedure and we are being placed on a waiting list in the city before any new hiring process can even be started. People with 10 plus years on the job are quitting because their family life is struggling due to the demands being placed on our employees. These are great employees, hard working , and dedicated employees who help save lives everyday. Without staffing there wont be enough personnel to answer 9-11 calls from the public and hold times will increase.

CLV001070

Our call volume has doubled since 2000 and yet our manpower has barely changed during that time. We are fighting for this city and county to be safe however we need personnel immediately. I have never written city hall about our problems ever but our cries for help are not being answered. I have talked to our chiefs numerous times and our hiring is at a snails pace. We have only 5 people in a training class where we need 15. We need 15 people now.

I am begging that HR please fast track our hiring process. It is critical so we are not having 9-11 calls be left on hold or go unanswered. Please help us. We are doing everything we can to serve our public. However without adequate manpower more employees will leave us. We can not afford to lose any more employees. I do not wish to be a whistleblower here and hope that my name be confidential for fear of retaliation. I love my job , we just need help.

Sincerely,

Jason Roeller  
Las Vegas Fire & Rescue  
Fire Communication Specialist for 15 years

CLV001071



**To:** Jason Roeller[jroeller@LasVegasNevada.GOV]  
**Cc:** Orlando Sanchez[osanchez@LasVegasNevada.GOV]; Betsy Fretwell[efretwell@LasVegasNevada.GOV]; Lora Kalkman[lkalkman@LasVegasNevada.GOV]  
**From:** Carolyn G. Goodman  
**Sent:** Thur 3/5/2015 5:16:29 PM  
**Subject:** RE: Fire Alarm Office Staffing is at Critical levels

We are a team here and so glad this issue has been resolved at this time. Thank you for bringing it to our attention.

Carolyn G. Goodman, Mayor  
Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

-----Original Message-----

From: Jason Roeller  
Sent: Monday, March 02, 2015 6:21 PM  
To: Carolyn G. Goodman  
Subject: RE: Fire Alarm Office Staffing is at Critical levels

Today a new policy is posted that will start in a few weeks to limit our maximum time held to 14 hrs. I am not sure who to thank for this but if it has something to do to this letter, I appreciate you looking into it. Our division as a whole thanks you.

Sincerely,  
Jason Roeller

-----Original Message-----

From: Carolyn G. Goodman  
Sent: Thursday, February 26, 2015 1:42 PM  
To: Jason Roeller  
Cc: Betsy Fretwell; Orlando Sanchez; Lora Kalkman  
Subject: RE: Fire Alarm Office Staffing is at Critical levels

Hi Jason:

With City Hall closed tomorrow and our Manager out-of-town, I am emailing her and the Deputy City Manager, Orlando Sanchez, to look into this as soon as possible. Thank you for your open communication, and I am hopeful that they will find out what is occurring and work to resolve the problem(s) next week.

Mayor Goodman  
Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

-----Original Message-----

CLV001072

From: Jason Roeller  
Sent: Wednesday, February 25, 2015 11:53 AM  
To: Carolyn G. Goodman  
Cc: Jason Roeller  
Subject: Fire Alarm Office Staffing is at Critical levels

Mrs Mayor Goodman:

I work in the Fire Alarm Office and have for 15 years. Our office staff is painfully struggling thru a massive staff shortage. We are severely understaffed and have been for years now. Our employees are working massive amounts of overtime to keep our staffing requirements to safe levels. Our employees are working extra shifts, up to 16 hour days with only an 8 hour break in between and we are falling apart at the seams. Our E-staff is telling us that the hold up to hire new employees is due to lack of personnel at Human Resources being able to fast track our hiring procedure and we are being placed on a waiting list in the city before any new hiring process can even be started. People with 10 plus years on the job are quitting because their family life is struggling due to the demands being placed on our employees. These are great employees, hard working , and dedicated employees who help save lives everyday. Without staffing there wont be enough personnel to answer 9-11 calls from the public and hold times will increase.

Our call volume has doubled since 2000 and yet our manpower has barely changed during that time. We are fighting for this city and county to be safe however we need personnel immediately. I have never written city hall about our problems ever but our cries for help are not being answered. I have talked to our chiefs numerous times and our hiring is at a snails pace. We have only 5 people in a training class where we need 15. We need 15 people now.

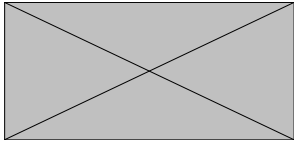
I am begging that HR please fast track our hiring process. It is critical so we are not having 9-11 calls be left on hold or go unanswered. Please help us. We are doing everything we can to serve our public. However without adequate manpower more employees will leave us. We can not afford to lose any more employees. I do not wish to be a whistleblower here and hope that my name be confidential for fear of retaliation. I love my job , we just need help.

Sincerely,

Jason Roeller  
Las Vegas Fire & Rescue  
Fire Communication Specialist for 15 years

CLV001073

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 11/3/2017 7:54:14 AM  
**Subject:** Tax Cuts Expected To Be A Hard Sell For Republicans



**PUBLIC POLICY.**

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**Friday, November 3, 2017**

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## TOP NEWS

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### Analysis

#### **Tax Cuts Expected To Be A Hard Sell For Republicans**

House Republicans delivered on their promise to introduce legislation to slash tax rates for businesses, but opposition from traditional allies to the removal or limitation of benefits for middle-income taxpayers and small businesses means that significant amendments may be required for the bill's passage. [Read more »](#)

#### **GOP Tax Bill Sets 20% Top Corporate Rate**

House Republicans on Thursday released their long-awaited tax bill that aims to lower the top corporate income tax rate to 20 percent, introduce a top tax rate of 25 percent for pass-through businesses and maintain the top individual rate at 39.6 percent. [Read more »](#)

### Analysis

#### **Defense Attys In Mueller Cases Run The White Collar Gamut**

The lawyers representing defendants in the first cases brought by special counsel Robert Mueller range from an "aggressive" former government tax prosecutor known for "watershed" offshore tax cases to local operators in Chicago and New York. [Read more »](#)

#### **Manafort Lawyer Warned After Holding News Conference**

The judge assigned to the criminal case against ex-Trump campaign manager Paul Manafort and his longtime business partner Rick Gates admonished lawyers on Thursday to make their arguments in court, "not on courthouse steps," a direct shot at Manafort attorney Kevin Downing for his post-hearing news conference Monday. [Read more »](#)

#### **Papadopoulos Plea Prompts Senate Call To Question Sessions**

Senators on Thursday called on Attorney General Jeff Sessions to explain why, during his testimony before various committees, he denied the Trump campaign communicated with Russian officials and failed to disclose that a Trump adviser offered to set up a meeting between the candidate and Russian President Vladimir Putin in 2016. [Read more »](#)

#### **Senate Approves Gorsuch Successor For 10th Circ.**

The Senate approved Colorado Supreme Court Justice Allison Eid's nomination on Thursday to a Tenth Circuit seat vacated by Justice Neil Gorsuch, as GOP leaders push to fill more than 100 vacancies on the federal courts. [Read more »](#)

## BANKING & SECURITIES

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### Analysis

#### **In Trump Era, The Fed's Powell Could Be 'Voice Of Moderation'**

President Donald Trump's selection of Jerome Powell to chair the Federal Reserve

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Fried Frank  
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Kilpatrick Townsend  
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LTL Attorneys LLP  
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CLV001074

should provide a level of stability in monetary and regulatory policy that banks will appreciate, but it also means that the extensive rollback of Dodd-Frank Act rules that many had expected may not come. [Read more »](#)

### Trump Taps Powell To Lead Federal Reserve

President Donald Trump nominated Federal Reserve Gov. Jerome Powell to chair the nation's central bank Thursday as the administration continues to replace the heads of U.S. financial regulatory agencies. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Senate Approval Of 2 Commissioners Gives FERC Full Bench

The U.S. Senate on Thursday confirmed two commissioners to the Federal Energy Regulatory Commission, including Republican Kevin McIntyre as chairman, providing the regulatory body with a full complement of officials for the first time since 2015. [Read more »](#)

### EPA Rebuffs States' Bid To Expand Ozone-Reduction Region

The U.S. Environmental Protection Agency has rejected a petition from nine Northeast states seeking to add several downwind states to a regional ozone-reduction program, according to a notice scheduled to be published in the Federal Register on Friday. [Read more »](#)

### BLM Takes Step To Undo Gas Venting And Flaring Rule

The Bureau of Land Management on Wednesday sent to the White House for review a proposal to rescind or revise an Obama-era regulation aimed at limiting venting and flaring from gas wells on federal lands, which is the final step before it is made public. [Read more »](#)

### Nonprofit Urges High Court To Hear EPA Jobs Analysis Row

The Fourth Circuit dropped the ball when it said the federal courts don't have authority to force the U.S. Environmental Protection Agency to bulk up its analysis of the impact on jobs from air pollution rules, a nonprofit told the U.S. Supreme Court on Wednesday. [Read more »](#)

### Enviros Say Feds' Beaver Trapping Program Harms Fish

Environmentalists on Thursday told the federal government they intend to sue over a U.S. Department of Agriculture program meant to manage wildlife conflicts that they say kills off hundreds of beavers in Oregon through trapping and other means, which in turn leads to fish being harmed. [Read more »](#)

## HEALTH & LIFE SCIENCES

### House OKs Bill To Repeal Medicare Advisory Board

The U.S. House of Representatives passed a bill Thursday that would ax the Independent Payment Advisory Board established by the Affordable Care Act, as backers claimed the board would result in unreasonable cuts to payment rates. [Read more »](#)

### State AGs Rip HHS Opt-Outs For ACA Birth Control Mandate

Four state attorneys general signed on Thursday to a lawsuit in California federal court challenging Trump administration regulations allowing employers to dodge Affordable Care Act requirements to provide coverage for contraception under exemptions for religious or moral objections. [Read more »](#)

### Feds, Defense Clash Over Bribery Tale In Menendez Trial

A prosecutor urged jurors Thursday to hold Sen. Bob Menendez and a Florida ophthalmologist accountable by convicting them of taking part in an alleged bribery scheme, but defense lawyers blasted the government for spinning a false narrative without evidence of an illicit agreement. [Read more »](#)

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Shavitz Law Group  
Squire Patton Boggs  
Tycko & Zavareei  
Western Environmental Law Center  
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Winston & Strawn

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Adelphia Communications Corp.  
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American Civil Liberties Union  
Bayer AG  
Biomet Inc.  
CGI Group Inc.  
California Association of Realtors  
Carlyle Group LP  
Center for American Progress  
Center for Biological Diversity Inc.  
Comcast Corporation  
Costco Wholesale Corporation  
Credit Suisse Group AG  
Cummins Inc.  
Deloitte Touche  
Energizer Holdings, Inc.  
Equifax Inc.  
FCA US LLC  
Facebook  
Federalist Society  
Financial Services Roundtable  
Ford Motor Company  
Genentech Inc.  
General Motors  
Google Inc.  
Hospira Inc.  
Instagram Inc.  
International Business Machines Corporation  
KPMG International  
Lawyers' Committee for Civil

## EMPLOYMENT

### House Republicans Float Paid Leave Proposal

Three Republican members of the House of Representatives on Thursday proposed a federal paid leave bill that would exempt employers from state and local paid leave laws if they give workers scheduling flexibility and a certain number of days off.

[Read more »](#)

## COMPETITION

### Senate Panel OKs Antitrust Whistleblower Protections

The Senate Judiciary Committee approved a bill Thursday that would heighten protections for whistleblowers who report antitrust violations, allowing them to sue in court if they are fired, demoted or otherwise retaliated against. [Read more »](#)

### Sen. Calls On DOJ, FTC To Weigh Jobs In Merger Reviews

Increasing industry consolidation could have a detrimental effect on workers' mobility in the marketplace and suppress wages, and must receive sufficient consideration during the merger review process, Sen. Cory Booker, D-N.J., said in a letter Wednesday to U.S. Department of Justice and the Federal Trade Commission officials. [Read more »](#)

## GOVERNMENT CONTRACTS

### House Dems Sue GSA Over Trump Hotel Documents

Democrats on the House Oversight Committee sued the U.S. General Services Administration on Thursday, alleging it has unlawfully withheld documents from them related to a Trump Organization's contentious hotel lease for the Old Post Office building in Washington, D.C. [Read more »](#)

## INTERNATIONAL TRADE

### Dems Still Oppose Garrett As Ex-Im Bank Head After Hearing

A quintet of Democratic senators lodged renewed objections to Scott Garrett becoming the head of the Import-Export Bank, which he once opposed and briefly shuttered while in Congress, after his testimony during a Wednesday confirmation hearing. [Read more »](#)

### WTO Struggling To Strike Deal To Curb Fishing Subsidies

World Trade Organization members huddled on Wednesday and began to acknowledge the difficulty they are experiencing in crafting an agreement to cut down on global fisheries subsidies, which is supposed to be the centerpiece of the trade body's looming ministerial summit. [Read more »](#)

## TAX

### Tax Reform Bill Aims To Halve Mortgage Interest Deduction

Long-awaited details of President Donald Trump's tax plan call for slashing the home mortgage interest deduction to half its current level, the bill introduced in the U.S. House of Representatives on Thursday revealed. [Read more »](#)

### Insurers' Suit Against IRS Over Reporting Rules Nixed

A Tennessee federal judge on Thursday dismissed insurers' suit accusing the Internal Revenue Service of unfairly labeling them as tax scammers in a notice on so-called captive insurance companies. [Read more »](#)

Rights Under Law

ML Strategies LLC

Microsoft Corporation

Murray Energy Corp.

National Association of Manufacturers

National Association of Realtors

National Federation of Independent Business

National Grid PLC

National Immigration Law Center

New York University

Newegg Inc.

OneWest Bank Group LLC

Overstock.com Inc.

Pfizer Inc.

Public Broadcasting Service

Publicis Groupe

Retail Litigation Center Inc.

Ryan LLC

Sierra Club

Teva Pharmaceutical Industries Limited

Trump Organization Inc.

Twitter Inc.

U.S. Chamber of Commerce

UBS AG

Verizon Communications

Volkswagen

Wayfair LLC

Wells Fargo & Co.

## GOVERNMENT AGENCIES

Animal and Plant Health Inspection Service

Bureau of Citizenship and Immigration Services

Bureau of Land Management

California Attorney General's Office

California Department of Justice

Consumer Financial Protection Bureau

Delaware Attorney General's Office

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

Federal Election Commission

Federal Energy Regulatory Commission

Federal Reserve System

Federal Trade Commission

CLV001076

## India Finalizes Pricing Reporting Rules Under OECD Plan

India's tax authority on Wednesday announced rules covering how multinational companies are expected to disclose transfer pricing information for each country where they operate, measures that are part of government's alignment with the Organization for Economic Cooperation and Development's efforts to curb corporate tax avoidance. [Read more »](#)

## Legal Scholars Urge High Court To Undo Online Sales Tax Ban

Over three dozen law professors and economists pressed the U.S. Supreme Court on Thursday to overturn its precedent that prevents states from collecting sales and use tax from online retailers located outside their borders, arguing that the 25-year-old rule is outdated in the wake of the e-commerce boom. [Read more »](#)

## IMMIGRATION

### Gov't Pushes 4th Circ. To Nix Travel Ban Injunction

The federal government on Wednesday urged the Fourth Circuit to reverse an injunction against President Trump's third version of a travel ban, arguing the proclamation at issue can't be nullified due to "some perceived historical taint" from the past bans or campaign statements. [Read more »](#)

### Philly Follows Immig. Law, Judge Hints In Sanctuary City Suit

A Pennsylvania federal judge suggested at a hearing Thursday that Philadelphia was largely in compliance with a disputed requirement the city follow U.S. immigration law in order to qualify for an annual policing grant from the U.S. Department of Justice. [Read more »](#)

### Feds Defend DACA's End As States, Cos. Seek To Block Move

A flurry of motions on Wednesday swept through several federal cases in California challenging a proposed phaseout for the Deferred Action for Childhood Arrivals program, with the federal government seeking to toss the suits, the plaintiffs angling to temporarily block DACA's end, and Google, IBM, Facebook and dozens of other companies voicing opposition to the Trump administration's plans. [Read more »](#)

### Iranian Groups Blast Travel Ban In DC Fed. Court

Representatives for a group of Iranian nationals urged a D.C. federal judge to issue an injunction against the Trump administration's latest travel ban on a group of predominantly Muslim nations, saying the restrictions on travelers and refugees are driven by animus toward Iranians and Muslims. [Read more »](#)

### Naturalization Oath Violates The Constitution, Suit Says

A French citizen who has been seeking U.S. citizenship for almost a decade hit Congress with a lawsuit in Massachusetts federal court on Thursday, saying that the inclusion of the words "so help me God" in the naturalization oath violates her constitutional rights. [Read more »](#)

## TELECOMMUNICATIONS

### FCC Leaders Push To Share Connected-Car Spectrum

In the wake of the suggestion that the Trump administration may shelve a mandate that all new cars possess vehicle-to-vehicle communication capabilities, two Federal Communications Commission members said on Wednesday that it's time for the agency to revisit spectrum-sharing in the band dedicated to the auto industry. [Read more »](#)

#### Analysis

### Murky Connected-Car Regime Won't Halt Auto Tech Push

A proposal requiring all new cars be able to "talk" to each other to avoid crashes may be shelved for now, but experts say automakers will continue to develop "V2V" technology with the expectation that the Trump administration will eventually

Government Accountability Office  
Internal Revenue Service  
Maryland Attorney General's Office  
NAFTA  
National Economic Council  
National Highway Traffic Safety Administration  
New Jersey Election Law Enforcement Commission  
New York Attorney General's Office  
U.S. Department of Agriculture  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
U.S. Supreme Court  
United States District Court for the Eastern District of Pennsylvania  
Virginia Attorney General's Office  
World Trade Organization



advance a more flexible set of standards. [Read more »](#)

## HOMELAND SECURITY

### Sessions Calls For Encrypted Device Access After NY Attack

U.S. Attorney General Jeff Sessions, speaking Thursday in New York after eight people were killed this week in an attack the city labeled an “act of terror,” called on tech companies to give law enforcement access to encrypted devices and for more stringent immigration controls, while also urging Congress to continue its authorization of foreign surveillance. [Read more »](#)

## WHITE COLLAR

### Blagojevich Petitions Supreme Court In 2nd Bid For Freedom

Ex-Illinois Gov. Rod Blagojevich has petitioned the U.S. Supreme Court for the second time, asking the justices Thursday to re-examine both the severity of the crimes that landed him behind bars and the length of his 14-year sentence. [Read more »](#)

### Schock Appeals Partial Dismissal Of Indictment To 7th Circ.

Ex-U.S. Rep. Aaron Schock on Wednesday filed a notice of appeal to the Seventh Circuit, attempting to overturn an Illinois federal judge's order dismissing only two counts of the 24-count indictment against Schock, the entirety of which the former Peoria Republican wants tossed. [Read more »](#)

### Newark Mayor, Campaign Aide Hit With \$396K ELEC Complaint

The New Jersey Election Law Enforcement Commission has slapped Newark Mayor Ras J. Baraka and his campaign treasurer with a 28-count complaint alleging that they violated campaign finance rules for a collective \$396,000 in expenses and contributions during the election season preceding the former's 2014 victory, according to a filing made public Wednesday. [Read more »](#)

## PEOPLE

### Trump's Pick For 3rd Circ. Clears Full Senate

President Donald Trump's choice of University of Pennsylvania Law School professor Stephanos Bibas to fill a vacancy on the Third Circuit won Senate approval Thursday, the fourth circuit court nominee confirmed this week. [Read more »](#)

## EXPERT ANALYSIS

### A New Approach To Climate Analysis Under NEPA?

The D.C. Circuit's recent decision in *Sierra Club v. Federal Energy Regulatory Commission*, and FERC's response, point to the National Environmental Policy Act as possibly the next legal battleground over how federal agencies consider climate change, say attorneys with Gibson Dunn & Crutcher LLP. [Read more »](#)

### 3 Signals From USCIS About H-1B And L-1 Visas

Recent announcements reinforce the administration's focus on policing abuses and preventing fraud in the H-1B and L-1 visa programs. Employers can expect U.S. Citizenship and Immigration Services not only to second-guess the validity of H-1B and L-1 petitions, but to search for opportunities to investigate and penalize employers, say Elizabeth Espín Stern and Maximillian Del Rey of Mayer Brown LLP. [Read more »](#)

## Opinion

### Arbitration Rule Repeal Will Adversely Affect Consumers

President Donald Trump's decision Wednesday to sign a congressional resolution repealing the Consumer Financial Protection Bureau's arbitration rule represents a decisive blow to the American public's access to the justice system, say Gregory Asciolla and Brian Morrison of Labaton Sucharow LLP. [Read more »](#)

### **How Mass. Can Prepare For Cannabis Industry Energy Use**

Massachusetts' legalization of recreational marijuana is creating a new industry, but given the amounts of energy and water needed to cultivate the crop, significant environmental impacts are anticipated. The state's new Cannabis Control Commission would be wise to take note of the practices adopted in pioneering states such as Colorado and Oregon, say consultants with ML Strategies LLC. [Read more »](#)

### **Proportionality, Not Perfection, Is What Matters**

A few jurists and commentators have recently caused a stir in the e-discovery community by arguing that litigants should avoid using keyword searches to filter or cull a document population before using predictive coding. This "no-cull" rationale undermines the principle of proportionality at the heart of the recent changes to Federal Rule 26, say John Rosenthal and Jason Moore of Winston & Strawn LLP. [Read more »](#)

## **LEGAL INDUSTRY**

### **DLA Piper Global Co-Chair Leaves For Latham's Madrid Office**

A senior partner and global co-chair for DLA Piper will leave to join the Madrid office of Latham & Watkins LLP as its new managing partner, Latham announced Thursday. [Read more »](#)

### **Ex-Akin Gump Atty To Plead Guilty In FCA Suit-Selling Case**

The former litigation partner at Akin Gump Strauss Hauer & Feld LLP who was arrested while allegedly trying to sell a sealed False Claims Act complaint to the cybersecurity company it was filed against plans to plead guilty later this month, his attorney confirmed Thursday. [Read more »](#)

#### **Analysis**

### **Everyone's An Expert: How Modern Juries Complicate A Case**

For trial lawyers taking a complex case to a jury, finding the right highly credentialed expert can seem like the ticket to a winning verdict, but these days jurors often want to make up their own minds — and will throw your case away to do it. [Read more »](#)

### **Barnes & Thornburg Partner Tapped For Indiana Judgeship**

President Donald Trump tapped a combat veteran and Barnes & Thornburg LLP partner for a federal judgeship in Indiana to fill one of 64 judicial emergency vacancies across the country, the White House announced in a press release on Wednesday. [Read more »](#)

### **Law360's Weekly Verdict: Legal Lions & Lambs**

WilmerHale, Foley Hoag and two nonprofit groups topped this week's legal lions list, winning a court order blocking President Donald Trump's transgender military ban, while Williams & Connolly landed on the legal lambs list after a loss at the Federal Circuit, with the court ruling Bayer's patent on erectile dysfunction drug Staxyn is invalid as obvious. [Read more »](#)

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Constangy Brooks  
Dechert  
Durie Tangri  
Dykema Gossett PLLC  
Emery Celli  
Farella Braun  
Foley & Lardner  
Foley Hoag  
Fried Frank  
Goldstein & Russell  
Greenbaum Rowe  
Hogan Lovells  
Jeffer Mangels  
Jones Day  
Kanner & Whiteley  
Katten Muchin  
Keker Van Nest & Peters  
Kilpatrick Townsend  
Kobre & Kim  
LTL Attorneys LLP  
Labaton Sucharow  
Lane & Waterman  
Latham & Watkins  
Lawyers' Committee for Civil Rights  
Mayer Brown  
McDermott Will  
McGuireWoods  
Mehri & Skalet  
Milbank Tweed  
Mintz Levin  
Norton Rose Fulbright  
O'Melveny & Myers  
Shavitz Law Group  
Tycko & Zavareei  
Western Environmental Law Center  
Williams & Connolly  
WilmerHale

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American Civil Liberties Union  
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Sierra Club  
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Adelphia Communications Corp.  
American Bar Association  
Bayer AG  
Biomet Inc.  
CGI Group Inc.  
California Association of Realtors  
Carlyle Group LP  
Center for American Progress  
Center for Biological Diversity Inc.  
Comcast Corporation  
Costco Wholesale Corporation  
Credit Suisse Group AG  
Cummins Inc.  
Deloitte Touche  
Energizer Holdings, Inc.  
Equifax Inc.  
FCA US LLC  
Facebook  
Federalist Society  
Financial Services Roundtable  
Genentech Inc.  
Hospira Inc.  
Instagram Inc.  
International Business Machines Corporation  
Lawyers' Committee for Civil Rights Under Law  
ML Strategies LLC  
Microsoft Corporation  
Murray Energy Corp.  
National Association of Manufacturers  
National Federation of Independent Business  
National Grid PLC  
National Immigration Law Center  
New York University  
Newegg Inc.  
OneWest Bank Group LLC  
Overstock.com Inc.  
Pfizer Inc.  
Public Broadcasting Service  
Publicis Groupe  
Retail Litigation Center Inc.  
Ryan LLC  
Teva Pharmaceutical Industries Limited  
Trump Organization Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
UBS AG  
Verizon Communications

Volkswagen  
Wayfair LLC  
Wells Fargo & Co.

#### GOVERNMENT AGENCIES

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Federal Bureau of Investigation  
U.S. Department of Homeland Security  
U.S. Department of Transportation  
Bureau of Citizenship and Immigration Services  
Federal Communications Commission  
Federal Energy Regulatory Commission  
Federal Reserve System  
Internal Revenue Service  
National Highway Traffic Safety Administration  
U.S. Department of Health and Human Services  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Senate  
Animal and Plant Health Inspection Service  
Bureau of Land Management  
California Attorney General's Office  
California Department of Justice  
Consumer Financial Protection Bureau  
Delaware Attorney General's Office  
Executive Office of the President  
Federal Election Commission  
Federal Trade Commission  
Government Accountability Office  
Maryland Attorney General's Office  
NAFTA  
National Economic Council  
New Jersey Election Law Enforcement Commission  
New York Attorney General's Office  
U.S. Department of Agriculture  
U.S. Department of Labor  
U.S. Department of the Treasury  
U.S. General Services Administration  
U.S. Immigration and Customs Enforcement  
United States District Court for the Eastern District of Pennsylvania  
Virginia Attorney General's Office  
World Trade Organization

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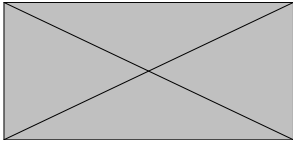
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**From:** Public Policy Law360  
**Sent:** Wed 11/28/2018 9:00:20 AM  
**Subject:** Senate GOP Leader Tamps Down Mueller Bill Hopes



**PUBLIC POLICY.**

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**Wednesday, November 28, 2018**

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## TOP NEWS

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### Senate GOP Leader Tamps Down Mueller Bill Hopes

Proponents of a bill that would codify protections for Special Counsel Robert Mueller faced a further uphill battle this week as Senate Majority Leader Mitch McConnell, R-Ky., shot down nascent Republican support for the measure. [Read full article »](#)

### 11 Names Sent To Fla. Gov.-Elect For 3 High Court Seats

The judicial nominating commission tasked with screening candidates for the three soon-to-open seats on the Florida Supreme Court on Tuesday released a list of 11 names — including seven appellate judges and the current general counsel for the U.S. Department of Education — from which incoming Gov. Ron DeSantis will choose new justices. [Read full article »](#)

### ABA Blasted For Support Of Bill On Debt Collection Attys

A group of fellows with the American Bar Association's Consumer Financial Services Committee has sent a letter objecting to the ABA's support of a bill in the U.S. House of Representatives that would mean attorneys suing to collect on a debt would not be classified as "debt collectors" under consumer protection law. [Read full article »](#)

### GSA Announces Massive Overhaul For Schedule Contracts

The U.S. General Services Administration unveiled a major overhaul to its Multiple Award Schedule system Tuesday, saying it will consolidate its 24 current schedules into a single contract, a move intended to promote efficiency and ease of use. [Read full article »](#)

### House May Vote On Year-End Tax Bill This Week, Brady Says

The U.S. House of Representatives will likely vote this week on a year-end tax package, released Monday evening by House Ways and Means Committee Chairman Kevin Brady, R-Texas, he told reporters Tuesday. [Read full article »](#)

### House Lawmakers Propose Bipartisan Carbon Tax Bill

House lawmakers from both parties announced legislation Tuesday evening that would impose a tax of \$15 per metric ton on carbon emissions starting in 2019 that would increase by \$10 each following year. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

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### Analysis

### High Court Hints At Skepticism Of ESA Reach In Frog Ruling

The U.S. Supreme Court's Tuesday decision to remand timber giant Weyerhaeuser Co.'s challenge to the designation of a parcel of its property as "critical habitat" for an endangered frog keeps the door open for limits on the government's power to protect land under the Endangered Species Act, experts say. [Read full article »](#)

### Supreme Court Sends Dusky Gopher Frog Case To 5th Circ.

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Arnold & Porter  
Baker Botts  
Ballard Spahr  
Beveridge & Diamond  
Carlton Fields  
Cohen Milstein  
Erickson Immigration Group  
Fisher Phillips  
Gibson Dunn  
GrayRobinson  
Herbert Smith Freehills  
Hunton Andrews Kurth  
Jenner & Block  
Johnson & Jones  
Jones Day  
Kanji & Katzen  
Katten Muchin  
Kobre & Kim  
Mayer Brown  
McCarter & English  
Morgan Lewis  
Nixon Peabody  
Proskauer Rose  
Saul Ewing  
Seyfarth Shaw  
Shutts & Bowen  
Stanley Reuter  
Stone Pigman

### COMPANIES

Alvarez & Marsal LLC  
American Bar Association

CLV001084

The U.S. Supreme Court sent a dispute between Weyerhaeuser Co. and the U.S. Fish and Wildlife Service involving the dusky gopher frog back to the Fifth Circuit on Tuesday, though the court's ruling gives the timber company a leg up in its fight over the future of a 1,500-acre tract of land in Louisiana. [Read full article »](#)

#### Analysis

### High Court Decision On Review Expands Landowners' Options

In sending a dispute between the U.S. Fish and Wildlife Service and timber firm Weyerhaeuser back to the Fifth Circuit, and in the process reversing a decision on the right of landowners to review agency determinations about land protection, the U.S. Supreme Court has given landowners more options for appeal while diminishing the power of such agency decisions, attorneys say. [Read full article »](#)

### Senate Energy Panel Advances McNamee For FERC

The Senate Energy and Natural Resources Committee sent Bernard L. McNamee, nominated to be a member of the Federal Energy Regulatory Commission, to the full Senate Tuesday, despite Democrats' concerns over his criticisms of renewable fuel sources. [Read full article »](#)

#### Analysis

### Climate Report Likely To Haunt Administration In Court

The Trump administration could find itself bedeviled by its own blockbuster climate change report in litigation over efforts to roll back rules on emissions from power plants and vehicles, as courts may frown on contradictions between the report's detailed, dire conclusions and the administration's actions, experts say. [Read full article »](#)

### EU Greenlights France's €600M Plan To Bolster Solar Output

The European Commission on Tuesday cleared France's €600 million (\$678.5 million) plan to boost energy production from existing solar installations, moving the country another project closer to its goal of getting nearly a quarter of its energy from renewables by 2020. [Read full article »](#)

## HEALTH & LIFE SCIENCES

### Pa. Rails Against Rules To Weaken ACA Birth Control Mandate

Pennsylvania indicated Monday that it plans to continue challenging Trump administration rules that weaken the Affordable Care Act's birth control mandate, telling a district judge who blocked the rules last year that it will seek another injunction now that the federal government has published the regulations again. [Read full article »](#)

## EMPLOYMENT

### 5th Circ. OKs DOL's Multi-Employer Worksite Citation Rule

The U.S. Department of Labor can cite general contractors for workplace safety violations that put only subcontractors' workers in danger, the Fifth Circuit has said, deferring to the agency's interpretation of the Occupational Safety and Health Act. [Read full article »](#)

## COMPETITION

### Trump DC Hotel Checks Out Of Unfair Competition Suit

A D.C. federal court judge has dismissed a wine bar's unfair competition lawsuit against President Donald Trump and the company that operates the Trump International Hotel Washington D.C., ruling that the wine bar failed to show that the defendants wrongfully interfered with its business. [Read full article »](#)

## CYBERSECURITY & PRIVACY

American Benefits Council  
American Civil Liberties Union  
American Council of Life Insurers  
American Federation of Teachers  
American Retirement Association  
Aon Corporation  
Association of Corporate Counsel  
Burford Capital LLC  
Cable News Network Inc.  
Center for Constitutional Rights  
Chevron Corp.  
Exxon Mobil Corp.  
Facebook  
Google Inc.  
Government Accountability Project  
HBR Consulting LLC  
Hannaford Brothers Co.  
Hensel Phelps Construction  
Institute of Chartered Accountants in England and Wales  
Investment Company Institute  
LinkedIn Corp.  
Marvel Entertainment LLC  
Microsoft Corporation  
National Cable & Telecommunications Association  
Natural Resources Defense Council  
Pacific Legal Foundation  
The American Waterways Operators Inc.  
The ERISA Industry Committee  
The Florida Bar  
Trump Organization Inc.  
U.S. Chamber of Commerce  
Villanova University  
Weyerhaeuser Co.

## GOVERNMENT AGENCIES

Administrative Appeals Office  
Bureau of Citizenship and Immigration Services  
Consumer Financial Protection Bureau  
Department of Commerce  
European Commission  
European Union  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Bureau of Prisons  
Federal Energy Regulatory Commission

## Facebook Takes Heat At Unprecedented European Hearing

Lawmakers from nine international parliaments appeared raring to regulate Facebook on Tuesday at an unprecedented hearing at London's House of Commons, while the social network's lawyers asked a California judge to sanction a software developer for disclosing sealed documents to British authorities. [Read full article »](#)

## Advocates Push White House To Nix CLOUD Act Deal With UK

Several civil liberties groups sent a letter to the U.S. Department of Justice asking it to reconsider an agreement with the United Kingdom to obtain personal data held by U.S. companies, saying the agreement could leave American citizens at risk. [Read full article »](#)

## CONSUMER PROTECTION

### Sen. Dems Grill FTC On Fraud Case Subpoena Of Acting AG

Democrats on a Senate subcommittee on Tuesday pressed all five of the newly minted Federal Trade Commission heads for details on an agency subpoena the acting attorney general allegedly ducked last year in connection to a fraud investigation, but the commissioners said they weren't familiar enough with the case to answer. [Read full article »](#)

### Untimely Nature Nixes Vet's Suit Over Wheelchair Rule Delay

The D.C. Circuit on Tuesday rejected the Paralyzed Veterans of America's challenge to the U.S. Department of Transportation's decision to delay until 2019 a new airline reporting requirement for mishandled checked baggage, including checked wheelchairs and scooters, saying the petition is untimely. [Read full article »](#)

## GOVERNMENT CONTRACTS

### Armstrong Whistleblower Blasts Whitaker's AG Appointment

The whistleblower behind a successful False Claims Act suit against Lance Armstrong's former team has challenged Matthew Whitaker's appointment as acting attorney general, telling the D.C. Circuit that a settlement hinges on the AG approving a dismissal of his damages appeal, but that Whitaker is in no position to approve it. [Read full article »](#)

### Inmates Say \$444M Fed. Prison Project Is 'Pork Barrel Politics'

A group of inmates filed a complaint in D.C. federal court Monday seeking to block the Federal Bureau of Prisons' \$444 million proposal to build a penitentiary in Kentucky that the inmates claim is unneeded and would damage the surrounding environment, calling the project "pork barrel politics." [Read full article »](#)

## AEROSPACE & DEFENSE

### GAO Will Probe Alleged 'Shadow Rule' Of VA: Sen. Warren

The U.S. Government Accountability Office will probe allegations that three members of President Donald Trump's Mar-a-Lago Club — allegedly his "cronies" — have acted as unaccountable outside decision-makers for the U.S. Department of Veterans Affairs, Democratic Sen. Elizabeth Warren of Massachusetts has announced. [Read full article »](#)

### Retired Navy Rear Adm. Censured Over 'Fat Leonard' Scandal

Navy Secretary Richard Spencer has censured a retired rear admiral who was up for a senior post at the U.S. Agency for International Development for his involvement in the sweeping "Fat Leonard" bribery scheme related to in-port service contracts. [Read full article »](#)

### Congress Sends Coast Guard Reauthorization To Trump

Federal Judicial Center  
Federal Trade Commission  
Fish and Wildlife Service  
Florida House of Representatives  
Florida State Senate  
Florida Supreme Court  
Government Accountability Office  
House of Commons of the United Kingdom  
House of Lords of the United Kingdom  
Internal Revenue Service  
National Security Agency  
New York Attorney General's Office  
Occupational Safety and Health Administration  
Omaha Tribe of Nebraska  
Pennsylvania Attorney General's Office  
U.S. Agency for International Development  
U.S. Attorney's Office  
U.S. Coast Guard  
U.S. Customs and Border Protection  
U.S. Department of Education  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of Veterans Affairs  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Postal Service  
U.S. Supreme Court  
United States District Court for the Eastern District of Pennsylvania

Congress sent a bill reauthorizing the U.S. Coast Guard to President Donald Trump's desk Tuesday, containing two-year spending authorizations, policy changes and a shift in how the nation will regulate ships' discharge that took months to negotiate. [Read full article »](#)

## INTERNATIONAL TRADE

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### **Biz Groups Make Plea For Trump To Calm China Trade Tension**

Nearly 150 industry organizations and free trade advocates on Tuesday called on President Donald Trump to end his escalating tariff battle with China at this week's G-20 summit, saying that the duties have done nothing to budge Beijing and are hampering U.S. businesses. [Read full article »](#)

## TAX

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### **Long-Discussed Retirement Provisions Make It Into Tax Bill**

Tax legislation introduced Monday borrows heavily from a long-circulating bipartisan retirement bill that seeks to expand the use of certain retirement-savings vehicles, allow employers to automatically enroll workers in retirement plans and shield plan sponsors from fiduciary liability when selecting annuity contracts, among other retirement-related goals. [Read full article »](#)

### **UK Lawmakers, Biz Groups Urge Delay Of Digital VAT Mandate**

A U.K. government plan to require digital filing and record-keeping by small companies liable for value-added tax should be delayed, a parliamentary committee and business advocacy groups have urged, saying the national tax authority ignored warnings about the plan's enactment. [Read full article »](#)

## IMMIGRATION

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### **Salvadoran Mother Ordered Reunited With 4-Year-Old Son**

A Salvadoran woman must be immediately reunited with her 4-year-old son after they were forcibly separated at the southern border more than eight months ago, a D.C. federal judge ruled on Monday. [Read full article »](#)

### **Gov't Asks Justices To Halt Census Citizenship Question Suit**

The U.S. Department of Commerce urged the U.S. Supreme Court on Tuesday to reconsider its decision not to stay proceedings in a New York federal court case challenging the inclusion of a question about citizenship status on the 2020 census. [Read full article »](#)

### **Feds Tell DC Circ. DACA Rescission Is Legal**

The Trump administration urged the D.C. Circuit on Monday to scrap a lower court's ruling allowing the Obama-era program that protects young unauthorized immigrants brought to the U.S. as children, known as Deferred Action For Childhood Arrivals, to continue. [Read full article »](#)

### **ICE Faces \$60M Suit Over Detained Child's Death**

The Guatemalan mother of a young girl who died after a stint in a detention center formally notified the federal government Tuesday she intends to file a \$60 million lawsuit against U.S. Immigration and Customs Enforcement and other federal agencies. [Read full article »](#)

## NATIVE AMERICAN

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### **Justices Weigh Boundaries Of Oklahoma Reservation**

A lawyer for the state of Oklahoma told the U.S. Supreme Court justices on Tuesday



that if a Native American man has his murder conviction in state court vacated due to a ruling that the crime took place on a reservation, it could affect jurisdiction in a wide swath of the state. [Read full article »](#)

## EXPERT ANALYSIS

### What The FAA Act Says About Phones, Seats And Liability

The 2018 Federal Aviation Administration Reauthorization Act includes sections that prohibit in-flight mobile phone communication, immunize passive finance parties from state tort liability and address airline seat size standards. The latter section will likely lead to an extensive rule-making process, says Timothy Lynes of Katten Muchin Rosenman LLP. [Read full article »](#)

### Revised DOL Form Will Impact Upcoming H-1B Cap Season

The U.S. Department of Labor recently issued a new edition of its Labor Condition Application — a prerequisite for the proper filing of an H-1B petition — prompting several changes that will impact future filings, says Miatrai Brown of Erickson Immigration Group. [Read full article »](#)

#### Opinion

### A Call For Nationwide Consistency On Noncompetes

There is something to be said for and against all of the various approaches taken to address the nettlesome problem of noncompetes. But little can be said to justify what we now have — a complex quilt work of varying laws and rules, say Steven Kayman of Proskauer Rose LLP and Lauren Davis, a law clerk with the New Jersey Superior Court. [Read full article »](#)

### Jurors Should Ask More Questions During Trials

Permitting jurors to submit written questions, or even to pose questions orally to witnesses on the stand, advances several important goals and promotes both fairness and efficiency, says Matthew Wright of McCarter & English LLP. [Read full article »](#)

## LEGAL INDUSTRY

### Litigation Insurance Searches For Its Niche In The US

Litigation finance has made remarkable inroads in the U.S., but proponents say litigation insurance offers even greater flexibility and lower costs to clients and firms seeking alternative models of limiting their exposure, even though it remains largely unfamiliar stateside. [Read full article »](#)

### GCs Shining Light On Their Management Chops

Tens of thousands of general counsels across the United States are more likely to cite management skills than legal prowess in their online profiles as the role of GC continues to evolve, according to a report released Tuesday. [Read full article »](#)

### Corp. Law Departments Say Legal Needs Will Rise In 2019

In a departure from previous years, corporate law departments' total legal spending rose by 5 percent from 2016 to 2017, and the vast majority of law departments are eyeing an increase in their legal needs over the next year, according to a new survey released on Tuesday. [Read full article »](#)

### Heritage Foundation Updates Clerk Program After Suspension

The Heritage Foundation has made changes to and is moving forward with its federal law clerk training program in an effort to make it more transparent, after a controversy surrounding the program's secretive nature arose last month, a spokeswoman confirmed Tuesday. [Read full article »](#)

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Cohen Milstein  
Erickson Immigration Group  
Fisher Phillips  
Gibson Dunn  
GrayRobinson  
Herbert Smith Freehills  
Hunton Andrews Kurth  
Johnson & Jones  
Jones Day  
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Nixon Peabody  
Proskauer Rose  
Saul Ewing  
Seyfarth Shaw  
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Stone Pigman

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American Bar Association  
Chevron Corp.  
U.S. Chamber of Commerce  
Alvarez & Marsal LLC  
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American Civil Liberties Union  
American Council of Life Insurers  
American Federation of Teachers  
American Retirement Association  
Aon Corporation  
Association of Corporate Counsel  
Burford Capital LLC

Cable News Network Inc.  
Center for Constitutional Rights  
Exxon Mobil Corp.  
Google Inc.  
Government Accountability Project  
HBR Consulting LLC  
Hannaford Brothers Co.  
Hensel Phelps Construction  
Institute of Chartered Accountants in England and Wales  
Investment Company Institute  
LinkedIn Corp.  
Marvel Entertainment LLC  
Microsoft Corporation  
National Cable & Telecommunications Association  
Pacific Legal Foundation  
The American Waterways Operators Inc.  
The ERISA Industry Committee  
The Florida Bar  
Trump Organization Inc.  
Villanova University

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U.S. Supreme Court  
Fish and Wildlife Service  
U.S. Department of Homeland Security  
Florida Supreme Court  
U.S. Department of Labor  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
Administrative Appeals Office  
Bureau of Citizenship and Immigration Services  
Consumer Financial Protection Bureau  
Department of Commerce  
European Commission  
European Union  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Bureau of Prisons  
Federal Energy Regulatory Commission  
Federal Judicial Center  
Federal Trade Commission  
Florida House of Representatives  
Florida State Senate  
Government Accountability Office  
House of Commons of the United Kingdom  
House of Lords of the United Kingdom  
Internal Revenue Service  
National Security Agency  
New York Attorney General's Office

Occupational Safety and Health Administration  
Omaha Tribe of Nebraska  
Pennsylvania Attorney General's Office  
U.S. Agency for International Development  
U.S. Attorney's Office  
U.S. Coast Guard  
U.S. Customs and Border Protection  
U.S. Department of Education  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Transportation  
U.S. Department of Veterans Affairs  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. Postal Service  
United States District Court for the Eastern District of Pennsylvania

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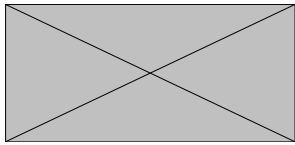
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**From:** Public Policy Law360  
**Sent:** Fri 2/10/2017 9:01:49 AM  
**Subject:** [Marketing Mail] Trump Faces Longer Odds To Ax Fiduciary Rule After DOL Win



**PUBLIC POLICY**

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**Friday, February 10, 2017**

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## TOP NEWS

### Analysis

#### **Trump Faces Longer Odds To Ax Fiduciary Rule After DOL Win**

The Trump administration will need to build a robust administrative record if it wants to convince the public and courts a full-scale repeal of the new fiduciary rule for retirement account advisers is justified and not merely a political about-face, experts said, after a Texas federal judge on Wednesday issued the third lengthy opinion endorsing the U.S. Department of Labor's original analysis.

#### **New EEOC Chair Says Major Changes Not In Store**

In her first extended public comments since being named acting chair of the U.S. Equal Employment Opportunity Commission, Victoria Lipnic on Thursday said that the agency will continue pursuing systemic investigations and left the door open for a re-evaluation of recently enhanced pay data reporting requirements.

#### **9th Circ. Keeps Block On Trump's Immigration Ban**

A Ninth Circuit panel refused to lift the block on President Donald Trump's immigration ban for people from seven mostly Muslim countries on Thursday, a decision that was hailed as "a complete victory" by challengers to the order but that immediately drew a fierce Twitter response from the president.

### Analysis

#### **Energy Cos. Unnerved By Trump's Mexico Border Tax Talk**

President Donald Trump's recent vow to impose import taxes on Mexican goods to pay for a border wall is stoking concerns among energy firms that have cashed in on increasing Mexican demand for U.S. natural gas and petroleum products, and could chill new investment in cross-border infrastructure if Trump follows through on his threat, experts say.

### Analysis

#### **GOP Plan For Pass-Throughs Raises Tax Evasion Alarm**

A Republican plan to stop taxing income for many small businesses at individual rates is raising concerns that business owners will be able to evade taxes by recharacterizing personal wages as business income that will be taxed at a lower rate.

#### **Trump Says Senator 'Misrepresented' Gorsuch Comments**

President Donald Trump on Thursday doubled down on criticism of Sen. Richard Blumenthal, D-Conn., in an ongoing feud over comments by U.S. Supreme Court nominee Judge Neil Gorsuch that Blumenthal relayed, which were critical of Trump's own statements on judicial independence.

#### **Senator Wants Hearings On Trump's Executive Orders**

Senate Minority Whip Dick Durbin, D-Ill., on Wednesday called for hearings on President Donald Trump's executive orders aimed at building a border wall, increasing immigration enforcement and temporarily barring people from seven

## LAW FIRMS

Arnold & Porter Kaye Scholer  
Baker Botts  
Baker McKenzie  
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Constantine Cannon  
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Dorsey & Whitney  
Earthjustice  
Eversheds Sutherland  
Genova Burns  
Gibson Dunn  
Goodwin  
Harris Wiltshire  
Hinshaw & Culbertson  
Hogan Lovells  
Holland & Knight  
Hunton & Williams  
Kerr & Wagstaffe  
Labaton Sucharow  
Latham & Watkins  
Lawyers' Committee for Civil Rights  
Lief Cabraser  
Marashlian & Donahue  
Marino Tortorella  
Mayer Brown  
McDonald Hopkins  
Morgan Lewis  
Morris Nichols  
Munger Tolles  
Paul Weiss  
Petti & Briones

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predominantly Muslim nations, saying the orders are inconsistent with America's heritage as a nation of immigrants.

#### Analysis

### Trump's Removal Priorities Spare No Unauthorized Immigrants

Although momentarily eclipsed by the rollout of his now-blocked travel ban, President Donald Trump has widened the pool of people who should be viewed as priorities for deportation to the point where anyone who entered the U.S. without authorization could be deemed a target for removal, experts say.

## BANKING & SECURITIES

### Dems Push Fed On Physical Commodities Ownership Rules

A trio of Democratic senators on Thursday urged the Federal Reserve to tighten up its proposed regulations for commodity ownership by banks and to get the proposal out the door quickly, even as Republicans have been using their tools to repeal a host of recent rules.

### LSE Urges Issuers To Step Up Environmental Reporting

The London Stock Exchange laid out recommendations Thursday for how issuers should disclose information about their environmental, social and governance policies, in response to requests for more-consistent guidelines as such matters become more prominent for global investors.

## ENERGY & ENVIRONMENTAL

### State Dept. Receives Re-Submitted Keystone XL Proposal

The U.S. State Department announced Thursday it had received TransCanada's re-submitted application to begin construction of its contentious Keystone XL Pipeline project, a proposed pipeline to transport up to 830,000 barrels of oil per day from shale formations in Alberta, Canada, to the U.S. Gulf Coast.

### Power Plant Effluent Data A Secret, EPA Tells DC Circ.

The U.S. Environmental Protection Agency told the D.C. Circuit on Wednesday that a district court judge properly interpreted information disclosure laws when it allowed the agency to withhold from environmental groups data on power plant wastewater discharges.

### California Bill Would Tether Caps To Plastic Bottles

A California lawmaker has introduced an environmental bill that would require all single-use plastic beverage containers by 2020 to have a cap that is tethered to the container, saying such caps dirty beaches and harm wildlife.

### Endangered Bee Protections Delayed Under Trump Directive

Endangered Species Act protections to counter the rusty patched bumblebee's population and habitat decline was delayed by the Fish and Wildlife Service until mid-March in order to comply with an Inauguration Day memorandum issued by the Trump administration, which halted or delayed new regulations.

## MEDIA & ENTERTAINMENT

### Maryland Lawmakers Lob Sports Betting Legislation

Maryland could be the next state to join the push to legalize sports betting as state lawmakers introduced a bill Wednesday that would allow those with state gaming licenses to take wagers on sports contests should it pass a voter referendum and a federal ban be removed.

## TRANSPORTATION & INFRASTRUCTURE

Proskauer Rose

Quinn Emanuel

Reed Smith

Reger Rizzo

Ropes & Gray

Sachs Waldman

Sanford Heisler

Sauer & Wagner

Schiff Hardin

Seward & Kissel

Seyfarth Shaw

Sheppard Mullin

Sidley Austin

Squire Patton Boggs

Surovell Isaacs

Thornton Law Firm LLP

White & Case

Willson Jones

Winstead PC

Winston & Strawn

## COMPANIES

AT&T Inc.

Air Transport Association of America

America Fujikura Ltd.

American Equity Investment Life Holding Company

American Federation of Labor and Congress of Industrial Organizations

American Petroleum Institute Inc.

Anthem Inc.

Bio-Rad Laboratories, Inc.

Bipartisan Policy Center

BlackRock

Business Roundtable

CIGNA Corporation

CKE Restaurants, Inc.

Center for Constitutional Rights

DraftKings Inc.

Elevate Services Inc.

Exxon Mobil Corporation

Goldman Sachs Group Inc.

Google Inc.

Hong Kong Exchanges and Clearing

International Brotherhood of Electrical Workers

JPMorgan Chase & Co.

JetBlue Airways Corporation

London Stock Exchange Group PLC

## Trump Vows Regulatory Rollback In Airline Execs Meeting

President Donald Trump indicated Thursday during a meeting with commercial airlines and cargo carriers that he would lower corporate taxes, roll back regulations and modernize the nation's air traffic control system, notably describing the system as "out of whack."

## INSURANCE

## Feds Owe Insurer \$214M In ACA Payments, Judge Says

The federal government is liable for more than \$214 million in Affordable Care Act payments sought by a West Coast health insurer, a U.S. Court of Federal Claims judge ruled on Thursday, simultaneously rejecting the government's attempt to dismiss the case.

## EMPLOYMENT

## Schumer, Murray Say Puzder Nomination Should Be Pulled

Sens. Chuck Schumer, D-N.Y., and Patty Murray, D-Wash., called on President Donald Trump to withdraw the nomination of Andrew Puzder to head the U.S. Department of Labor, saying his stated positions on labor issues and his recent admission to hiring an undocumented housekeeper should disqualify him from consideration.

## Law Profs, Students Urge 'No' Vote On Puzder For Labor

More than 1,500 law professors and students from schools across the country signed a letter sent to the Senate Committee on Health, Education, Labor and Pensions on Thursday urging members to vote no on Labor Secretary nominee Andy Puzder, calling the fast food CEO "unfit" to lead the Department of Labor.

## 6th Circ. Panel Reverses Part Of Union Contribution Row Ruling

A Sixth Circuit panel on Thursday partly affirmed a district court's preliminary injunction against a Michigan law that barred unions from collecting donations to political action committees through payroll deduction, reversing part of the lower court's ruling that said the unions challenging the law were likely to prevail on First Amendment claims.

## Oregon Looks To Make It Illegal To Ban Pot Outside Work

Oregon wants to make it so employers in the state can't ban their employees from consuming marijuana outside the work day, according to a new bill introduced to the state Legislature.

## New Bill Would Spare Indian Health From Fed Hiring Freeze

A new bill to exempt the Indian Health Service from the federal hiring freeze put in place by President Donald Trump would provide sorely needed protection to a health system that's already in critical condition, according to a statement from one of the bill's sponsors Wednesday.

## NJ, Atlantic City Fire Union Battle Over Case Jurisdiction

Officials in New Jersey have called on a federal court there to retain control over a lawsuit brought against them by the union representing Atlantic City firefighters over proposed layoffs and contract changes, but the union said the action should be remanded to New Jersey state court.

## 4th Circ. Panel Affirms County Atty's Right To Fire Asst. Atty

A Fourth Circuit panel on Wednesday upheld a Virginia district court's ruling that a former Fairfax County attorney was able to fire an assistant county attorney after she was elected to the city council, affirming the lower court's opinion that the termination didn't violate the First Amendment.

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Morgan Stanley  
National Collegiate Athletic Association  
Natural Resources Defense Council  
New York Times Co.  
New York University  
PHH Corporation  
Pfizer Inc.  
PhRMA  
Public Citizen Inc.  
Quest Diagnostics Inc.  
Sierra Club  
Southwest Airlines Co.  
Stanley Black & Decker Inc.  
State Street Corp.  
Tax Foundation  
The Doctors Co.  
Thrivent Financial  
TransCanada Corporation  
Twitter Inc.  
U.S. Chamber of Commerce  
United Continental Holdings Inc.  
Vanguard Group Inc.  
Verizon Communications  
Wal-Mart Stores Inc.  
Wells Fargo & Co.

## GOVERNMENT AGENCIES

Alabama-Coushatta Tribe of Texas  
Bureau of Indian Affairs  
California Natural Resources Agency  
Chickasaw Nation  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Delaware Court of Chancery  
Energy Information Administration  
Equal Employment Opportunity Commission  
Executive Office of the President  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Reserve System  
Federal Trade Commission  
Financial Stability Oversight Council



## PRIVACY & CONSUMER PROTECTION

### House GOP Plans To Limit Dodd-Frank Outlined In Memo

House Republicans aim to drastically reduce the power of the Consumer Financial Protection Bureau and ease the stress tests that have become a signature staple of financial regulation since the 2008 financial crisis, according to a memo circulating among the committee's leadership team.

## PRODUCT LIABILITY

### Big Pharma Challenges FDA's New Off-Label Rule

Big Pharma is calling on the U.S. Food and Drug Administration to overhaul a newly finalized regulation giving the agencywide latitude to police off-label promotion, saying it contains abrupt and unconstitutional policy changes, according to a petition released Thursday.

## GOVERNMENT CONTRACTS

### DOD Can't Produce Comprehensive Spending Info, GAO Says

U.S. military agencies face shortfalls in their budgeting processes that adversely affect their ability to plan operations, according to a report from the Government Accountability Office.

### Service Agencies Sue Ill. Gov. For Nonpayment Of Contracts

A coalition of human service agencies and small companies that depend on state support filed suit against Illinois Gov. Bruce Rauner on Thursday in St. Clair County Court, in an attempt to force the state to pay for outstanding contracts in the state's 20th month without a full budget.

### NASA Watchdog Dings Management Of Operational Systems

A NASA watchdog criticized the agency Wednesday for security and operational risks stemming from poor oversight of its critical operational support systems, the day after the watchdog also found weaknesses in NASA's cloud computing programs.

## INTERNATIONAL TRADE

### GOP Senators Push Trump For 'Tough-Minded' Russia Policy

Republican senators continue to push a reticent President Donald Trump for a hard stance on Russia, with legislation introduced on Wednesday aimed at preventing unilateral sanctions relief and a letter to the president on Thursday urging a "tough-minded and principled policy."

## TAX

### Senate Republicans Reveal Rift In Border Tax Push

Support for a Republican-led overhaul of the corporate tax code began showing signs of weakness this week as two GOP senators expressed concerns that the border adjustment tax at the centerpiece of the proposal will be detrimental to U.S. consumers and economic growth.

### House Dems Defend IRS Debt-Equity Rules Under GOP Threat

All 16 Democratic members of the House Ways and Means Committee signed on to a letter Wednesday urging their colleagues not to repeal recent Internal Revenue Service rules to recharacterize certain corporate debt as equity for tax purposes, regulations the Democrats say are needed to prevent multinational businesses from

Fish and Wildlife Service  
Florida House of Representatives  
Food and Drug Administration  
Government Accountability Office  
Immigration and Customs Enforcement  
Indian Health Service  
Internal Revenue Service  
Los Angeles World Airports  
NAFTA  
NATO  
National Aeronautics and Space Administration  
National Credit Union Administration  
National Highway Traffic Safety Administration  
National Indian Gaming Commission  
Office of the Comptroller of the Currency  
Securities and Exchange Commission  
Transportation Security Administration  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Senate  
U.S. Supreme Court  
United Nations  
Ysleta del Sur Pueblo



relocating overseas.

## MEDICAL MALPRACTICE

### Fla. Lawmakers OK Bill Allowing Suits Against Abortion Docs

A Florida House of Representatives committee approved a bill Thursday that would allow women who were emotionally or physically harmed by an abortion to sue their doctors, despite concerns raised by the insurance industry over the potential for increased litigation.

## IMMIGRATION

### Immigration Ban Detainees Hurt By Lack Of Counsel, DHS Told

U.S. Customs and Border Protection officers refused to let immigrants speak to attorneys as detainees languished at airports without food, medical care or places to sleep and coerced them to sign away their rights to enter the country in the wake of the recent immigration ban, say reports compiled by two legal aid organizations.

### 2 Mass. Sanctuary Cities Sue Trump Over Funding Cut Threat

Two sanctuary cities in Massachusetts, backed by a legal team including lawyers from Goodwin Procter LLP, on Wednesday filed suit against President Donald Trump over his threats to strip federal funding for defying his immigration priorities.

## NATIVE AMERICAN

### Texas, Tribe Square Off Over Electronic Bingo

The Alabama-Coushatta tribe of Texas and the state traded blows in federal court filings on Wednesday over how to classify electronic bingo, as the tribe seeks to lift a long-standing injunction blocking it from offering the game on its reservation.

## TELECOMMUNICATIONS

### Analysis

### New FCC Looks Poised To Overrule Local Barriers To 5G

The now GOP-led Federal Communications Commission appears ready to preempt localities if it determines their regulatory processes and fees inhibit next-generation wireless, experts say, despite traditional Republican reluctance to undercut state and local authority.

### AT&T Asks FCC For 'Just' Fix To Business Data Service Regs

AT&T has told the Federal Communications Commission that the question of how the agency will move forward with regulations in the business data services market is ready for resolution, pushing for a "just, reasonable" result grounded in evidence.

### FCC's O'Rielly Pushes For Uniform Enforcement Deadlines

The Federal Communications Commission should work to tighten up the way it handles deadlines in enforcement issues, one of the agency's commissioners wrote Wednesday, saying bureau's disparate penalties for lateness put some parties at a disadvantage.

## PEOPLE

### Ala. Attorney General Replaces Sessions In Senate

Alabama's attorney general took the spot of former Republican Sen. Jeff Sessions in the U.S. Senate Thursday, as the latter has gone on to his own post as the nation's attorney general under President Donald Trump.

### **Hype Surrounds Trump's Financial Regulation Orders**

The Trump administration held photo ops for several executive orders last week with grand claims about doing "a big number" on the Dodd-Frank Act, and opponents reacted by claiming the orders are Wall Street's license to steal. It's an overheated spin cycle in which neither side is telling the truth, says Thomas Potter III of Burr & Forman LLP.

### **What FERC Can — And Cannot — Do Without A Quorum**

With last week's departure of Commissioner Norman Bay, the Federal Energy Regulatory Commission lacks a quorum for the first time in its history. Until the Senate confirms at least one new appointee, FERC's ability to issue orders will be restricted to certain authorities delegated to commission staff, covering relatively common, uncontroversial matters, say attorneys from Latham & Watkins LLP.

### **Automated Vehicle Regs And The Dormant Commerce Clause**

The greatest remaining hindrance to the proliferation of self-driving vehicles may well be regulatory uncertainty. Federal agencies have offered only nonbinding guidance, leaving regulation primarily to state authorities. This creates a patchwork of regulatory inconsistencies, and may impose a burden on interstate commerce that runs afoul of the dormant commerce clause doctrine, says Zachary Briers of Munger Tolles & Olsen LLP.

### **How Trump's First 3 Weeks Have Stressed Russian Sanctions**

Since President Trump's inauguration, there has been much speculation about whether the U.S. would ease or fully revoke sanctions against various Russian and Ukrainian individuals and entities in connection with Russia's support for separatists in Ukraine, its annexation of Crimea and its alleged interference in the U.S. election. Experts with Dechert LLP deconstruct the convoluted scene.

### **Law Firm Margin Improvement: The Long Game**

For all the lessons learned since 2008, it's surprising that margin management remains so tactical, rather than an ongoing strategic endeavor, for law firms. The firms that will survive and thrive must invest in ongoing margin-improvement capability, which will combine enhanced business- and change-management skills and take a long-term view to drive out the more difficult changes, says Jack Diggle of Elevate Services Inc.

## LEGAL INDUSTRY

### **3 Ways Associates Can Become Rainmakers**

The days of BigLaw associates patiently waiting for institutional clients to be dropped in their laps are largely past. Here are three ways young lawyers can hone their business development prowess and become the rainmakers of tomorrow.

#### **Analysis**

### **Trump Barry's Hiatus Shields 3rd Circ. From Family Spotlight**

Senior Judge Maryanne Trump Barry's indefinite hiatus from the Third Circuit following her younger brother Donald Trump's inauguration as president is being hailed by court watchers and former clerks as a prudent move, in line with her penchant for privacy and respect for the judiciary, to shield the court from controversy over her family ties.

#### **Analysis**

### **GCs May Increasingly Blow The Whistle After Bio-Rad Verdict**

An \$8 million federal jury verdict award for former Bio-Rad general counsel-turned-whistleblower Sanford Wadler may loosen the restrictions of GC privilege and embolden more in-house attorneys to come forward as whistleblowers against their companies, attorneys say.

## **Delaware Justice Randy J. Holland To Retire In March**

Delaware Justice Randy J. Holland is set to retire at the end of March, ending a 30-year tenure on the First State's highest bench and opening up the first high-profile judicial nomination process for the state's brand new governor John C. Carney, according to a statement from the court Thursday.

## **Dewey's DiCarmino Was Above The Fray, Jury Hears**

An attorney for former Dewey & LeBoeuf LLP Executive Director Stephen DiCarmino on Thursday told a New York jury that he was uninvolved in the finance and accounting departments at the law firm and had no reason to think any fraud was being committed.

## **Law360's Weekly Verdict: Legal Lions & Lambs**

Kerr & Wagstaffe LLP topped this week's legal lions list after a jury awarded its client \$8 million in a whistleblower suit against life sciences heavyweight Bio-Rad while White & Case LLP, Arnold & Porter Kaye Scholer and Paul Weiss Rifkind Wharton & Garrison LLP landed on the legal lambs list after a federal judge blocked the proposed \$54 billion merger they helped orchestrate between insurance giants Anthem and Cigna.

## **Hogan Lovells Int'l Sees 8% Revenue Bump In 2016**

Hogan Lovells International LLP recorded 8 percent revenue growth in the latest fiscal year while per equity partner profits soared more than 25 percent to an average of £879,000, according to a financial filing in the U.K.

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Marino Tortorella  
Mayer Brown  
McDonald Hopkins  
Morgan Lewis  
Morris Nichols  
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Petti & Briones  
Proskauer Rose  
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Sachs Waldman  
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Seyfarth Shaw  
Sheppard Mullin  
Squire Patton Boggs  
Surovell Isaacs  
Thornton Law Firm LLP  
White & Case  
Willson Jones  
Winstead PC  
Winston & Strawn

## COMPANIES

America Fujikura Ltd.  
American Federation of Labor and Congress of Industrial Organizations  
AT&T Inc.  
Goldman Sachs Group Inc.  
Natural Resources Defense Council  
New York University  
U.S. Chamber of Commerce  
Wells Fargo & Co.  
Air Transport Association of America  
American Equity Investment Life Holding Company  
American Petroleum Institute Inc.  
Anthem Inc.  
Bio-Rad Laboratories, Inc.  
Bipartisan Policy Center  
BlackRock  
Business Roundtable  
CIGNA Corporation

CKE Restaurants, Inc.  
Center for Constitutional Rights  
DraftKings Inc.  
Elevate Services Inc.  
Exxon Mobil Corporation  
Google Inc.  
Hong Kong Exchanges and Clearing  
International Brotherhood of Electrical Workers  
JPMorgan Chase & Co.  
JetBlue Airways Corporation  
London Stock Exchange Group PLC  
Mobilitie LLC  
Morgan Stanley  
National Collegiate Athletic Association  
New York Times Co.  
PHH Corporation  
Pfizer Inc.  
PhRMA  
Public Citizen Inc.  
Quest Diagnostics Inc.  
Sierra Club  
Southwest Airlines Co.  
Stanley Black & Decker Inc.  
State Street Corp.  
Tax Foundation  
The Doctors Co.  
Thrivent Financial  
TransCanada Corporation  
Twitter Inc.  
United Continental Holdings Inc.  
Vanguard Group Inc.  
Verizon Communications  
Wal-Mart Stores Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
U.S. Department of Labor  
Executive Office of the President  
Federal Communications Commission  
Federal Reserve System  
United Nations  
Consumer Financial Protection Bureau  
Federal Deposit Insurance Corp.  
Immigration and Customs Enforcement  
Internal Revenue Service  
Securities and Exchange Commission  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Environmental Protection Agency  
Alabama-Coushatta Tribe of Texas

Bureau of Indian Affairs  
California Natural Resources Agency  
Chickasaw Nation  
Commodity Futures Trading Commission  
Delaware Court of Chancery  
Energy Information Administration  
Equal Employment Opportunity Commission  
Federal Energy Regulatory Commission  
Federal Trade Commission  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Florida House of Representatives  
Food and Drug Administration  
Government Accountability Office  
Indian Health Service  
Los Angeles World Airports  
NAFTA  
NATO  
National Aeronautics and Space Administration  
National Credit Union Administration  
National Highway Traffic Safety Administration  
National Indian Gaming Commission  
Office of the Comptroller of the Currency  
Transportation Security Administration  
U.S. Customs and Border Protection  
U.S. Department of Defense  
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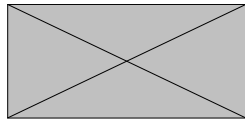
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**From:** Public Policy Law360  
**Sent:** Mon 4/18/2016 7:49:49 AM  
**Subject:** [Marketing Mail] The 100 Best Law Firms For Female Attorneys



**PUBLIC POLICY**

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**Monday, April 18, 2016**

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## **GLASS CEILING REPORT**

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### **The 100 Best Law Firms For Female Attorneys**

For the second year, Law360 has ranked the 100 best U.S. law firms for women, based on the firm's female representation at the partner and nonpartner levels and its total number of female attorneys.

### **The Best Law Firms For Female Partners**

While the typical law firm's partnership ranks are still dominated by men, 25 firms have made strides towards greater gender equality in their partnerships, earning them spots on Law360's list of Ceiling Smashers.

### **The Top 5 Ways BigLaw Is Failing Women**

Law firms continue to fall short when it comes to retaining and promoting female attorneys, according to Law360's 2016 Glass Ceiling Report. Here are the BigLaw practices that keep women from getting ahead.

### **The Glass Ceiling Report**

For the third straight year, law firms have made negligible progress toward gender equality, according to a review of Law360's annual headcount surveys of more than 300 firms over the past few years.

## **TOP NEWS**

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### **White House Voices Concerns Over FAA Reauthorization Bill**

The White House pressed Senate lawmakers Thursday to nix certain provisions of a bill seeking to reauthorize the Federal Aviation Administration through 2017, saying the mandate for delivery drone certification standards and small airport security requirements would undermine the agency's ability to do its job.

### **House Votes To Block FCC From Regulating Broadband Rates**

The U.S. House of Representatives on Friday passed a bill to bar the Federal Communications Commission from regulating rates charged for access to broadband Internet, a move the bill's supporters claimed is necessary to avoid the commission abusing its authority under its contentious net neutrality rule.

### **Renata Hesse Selected To Head DOJ's Antitrust Division**

Attorney General Loretta E. Lynch on Friday named Renata B. Hesse, a longtime government attorney with deep expertise in antitrust and intellectual property law, to run the Justice Department's antitrust division.

### **Reid Says GOP Garland Block Will Help Democrats Win Senate**

Senate Minority Leader Harry Reid, D-Nev., continued to press Senate Republicans on Friday over U.S. Supreme Court nominee Judge Merrick Garland, arguing that their ongoing refusal to hold a hearing to consider Judge Garland's nomination would help Democrats win back the Senate.

## **LAW FIRMS**

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BakerHostetler  
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Bancroft PLLC  
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Beirne Maynard  
Bernstein Shur  
Berry Appleman  
Best Best  
Beveridge & Diamond  
Bochetto & Lentz  
Bowman and Brooke  
Brownstein Hyatt  
BuckleySandler  
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Caldwell Leslie  
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Carlton Fields  
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Carroll McNulty  
Chadbourn & Parke  
Clausen Miller  
Cleary Gottlieb  
Coblentz Patch  
Cohen Milstein  
Conrad O'Brien  
Constangy Brooks  
Covington & Burling  
Cozen O'Connor  
Cross Gunter  
Crowell & Moring  
Davis Brown  
Davis Graham  
Davis Wright Tremaine

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## House GOP Moves To Block DOL's Persuader Rule

House Republicans rallied around a congressional resolution Friday introduced by Rep. Bradley Byrne, R-Ala., aimed at blocking the U.S. Department of Labor's recently finalized "persuader" rule, which imposes stricter reporting requirements for employers trying to influence employees on their union rights.

## White House Backs FCC Set-Top Box Plan As Some Cry Foul

The Obama administration endorsed a proposal Friday by the Federal Communications Commission to "unlock" the set-top box as giving consumers more choice, while AT&T Inc. and cable groups slammed the move as interfering with an independent agency.

## Hastert Judge Says Support Letters Must Be Made Public

The Illinois federal judge overseeing the case against former U.S. Speaker Dennis Hastert told attorneys he won't consider any letters submitted ahead of Hastert's sentencing this month unless they are posted publicly, part of a shift in the transparency in the high-profile case.

## Perkins Coie Atty Picked For Fed Bench In Washington State

President Barack Obama has tapped a co-chair of Perkins Coie LLP's appellate practice in Seattle, a Washington state court judge and an assistant U.S. attorney for three federal judgeships in the Evergreen State, the White House announced Thursday.

## ANALYSIS

## Tax Rules Could Be Undone By Seat Belt Case In 9th Circ.

The Ninth Circuit will soon consider an Intel Inc. subsidiary's dispute with the Internal Revenue Service over the agency's authority to issue regulations on complex tax arrangements, and the outcome could hinge on 33-year-old U.S. Supreme Court precedent involving automobile safety rules.

## 3 Takeaways From FDA's Drug Compounding Guidances

Newly released FDA policies would curtail traditional drug compounding that takes place at hospitals, lacks patient-specific prescriptions or occurs in the same location as newer compounding pharmacies subject to stricter oversight, experts say.

## 4 Policy Options For Tackling Global Steel Glut

For the past several months, the Obama administration has been inundated with calls to address an excess supply of steel in countries like China that has rocked producers around the globe. Here, Law360 unpacks the various moves the U.S. government could take to restore order to the market.

## ENERGY & ENVIRONMENTAL

## DC Circ. Nixes Challenge To EPA's Vehicle Emissions Model

The D.C. Circuit on Friday rejected a bid by Kansas and Nebraska to overturn the U.S. Environmental Protection Agency's new vehicle emissions model discouraging the use of ethanol in gasoline, saying the states don't have standing to bring their case.

## EPA Says Cost Analysis Supports Mercury Rule

The U.S. Environmental Protection Agency on Friday said the benefits of regulations limiting mercury and other toxic emissions from power plants outweigh the costs, resolving the U.S. Supreme Court's June ruling that the agency didn't properly consider costs when it created the rule.

## CPP Foes Take Down EPA's Defense Of 'Extraordinary' Rule

Dentons  
Dinsmore & Shohl  
Duane Morris  
Eimer Stahl  
Faegre Baker  
Foley & Mansfield  
Foran Glennon  
Ford & Harrison  
Fortney & Scott  
Fox Rothschild  
Fragomen Del Rey  
Franczek Radelet  
Frankfurt Kurnit  
Fredrikson & Byron  
Frier & Levitt  
Fross Zelnick  
Frost Brown Todd  
Gibbs & Bruns  
Gibson Dunn  
Goodell DeVries  
Goodwin Procter  
Gray & Associates  
Gray Plant  
Greenberg Traurig  
Hall Render  
Hanson Bridgett  
Harness Dickey  
Harris Beach  
Hinshaw & Culbertson  
Hogan Lovells  
Holland & Hart  
Hunton & Williams  
Ice Miller  
Jackson Lewis  
Jenner & Block  
Jones Day  
K&L Gates  
Kalijarvi Chuzi  
King & Spalding  
Kirkland & Ellis  
Kitch Drutchas  
Kleinbard LLC  
Kleinberg Kaplan  
Lane Powell  
Latham & Watkins  
LeClairRyan  
Lewis Brisbois  
Lewis Longman  
Liebert Cassidy  
Lindquist & Vennum  
Liskow & Lewis



States and industry groups opposed to the Obama administration's signature climate change initiative that would curb greenhouse gas emissions from power plants told the D.C. Circuit on Friday that the government is downplaying the "extraordinary nature" of the rule.

### **Solenex Says Feds Canceled Drilling Lease 'Out Of Spite'**

A gas exploration company whose federal drilling lease in Montana was paused for three decades before being revoked last month asked to update its lawsuit in District of Columbia federal court Friday, saying the Interior Department's decision was "vindictive" and overly deferential to the Blackfeet Tribe's belief that the area was sacred.

## **HEALTH & LIFE SCIENCES**

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### **AbbVie Retires Cholesterol Drugs Amid Risk-Benefit Doubts**

AbbVie Inc. on Friday said that it would stop selling several of its cholesterol medications, including Advicor and Simcor, in the U.S. following a request from the U.S. Food and Drug Administration spurred by new clinical trials showing that the drugs' risks outweigh their benefits.

## **MEDIA & ENTERTAINMENT**

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### **NBA To Allow Ads On Team Jerseys In Major US Sports First**

The National Basketball Association on Friday gave the thumbs-up to the sale of advertising sponsorships on team jerseys, in a first for a major American sports league, saying that the ad patches will begin to appear during the 2017-2018 season as part of a three-year pilot program.

### **Piecemeal State Laws Create 50 Headaches For Daily Fantasy**

The daily fantasy sports industry must wade through questions of the legality of their contests on a state-by-state basis as state legislatures and attorneys general continue to weigh in, creating hurdles for the still nascent industry, experts said Friday in New York.

## **TRANSPORTATION & INFRASTRUCTURE**

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### **Border Resident Claims Texas Drone Law Violates Privacy**

A Texas resident lodged a suit in state court Friday challenging the constitutionality of a state law providing for drone surveillance along the Texas-Mexico border, saying the recently passed statute treats about 1 million residents categorically differently from those in the rest of the state.

## **INSURANCE**

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### **HHS Urges DC Circ. To Revive Indemnity Insurance Rules**

The U.S. Department of Health and Human Services pushed a D.C. Circuit panel Friday to revive rules limiting fixed indemnity insurance plans to people already covered under the Affordable Care Act, arguing a lower court misinterpreted HHS' ability to protect consumers under the statute.

### **DC Circ. Loath To Let W.Va. Sue Feds Over ACA Rule Fix**

A D.C. Circuit panel appeared reluctant Friday to let West Virginia sue the Obama administration over its insurance transition fix to the Affordable Care Act, criticizing arguments that any injury from the conferred responsibility of determining grace periods for phasing out non-ACA compliant plans could be remedied in the courts.

### **NJ Lender Pays \$113M To Settle Loan Insurance Violations**

Locke Lord  
Lovell Lovell  
Manatt Phelps  
Manko Gold  
Marshall Dennehey  
Mayer Brown  
McDermott Will  
McGinnis Lochridge  
Milam Howard  
Miller & Chevalier  
Miller Nash  
MoloLamken LLP  
Morris Polich  
Nilan Johnson  
Norton Rose Fulbright  
Nutter McClennen  
Ogletree Deakins  
Patterson Law Firm  
Paul Hastings  
Paul Weiss  
Pepper Hamilton  
Perkins Coie  
Polsinelli  
Proskauer Rose  
Quarles & Brady  
Rawle & Henderson  
Reed Smith  
Ropes & Gray  
Royse Law Firm  
Sanford Heisler  
Saul Ewing  
Schiff Hardin  
Selman Breitman  
Seyfarth Shaw  
Shipman & Goodwin  
Shook Hardy  
Sidley Austin  
Sive Paget  
Skadden  
Skellenger Bender  
SmithAmundsen LLC  
Stoel Rives  
Stokes Lawrence  
Stradley Ronon  
Stroock & Stroock  
Summit Law Group  
Thompson Coburn  
Thompson Coe  
Tressler LLP  
Troutman Sanders  
Verrill Dana

New Jersey-based Freedom Mortgage Corp. on Friday agreed to pay \$113 million to resolve False Claims Act allegations for knowingly originating and underwriting mortgage loans that didn't qualify for Federal Housing Administration insurance, causing substantial losses to the government when the loans defaulted.

## EMPLOYMENT

### Pa. Dems Sue To Keep Judicial Retirement Age On Ballot

Three Pennsylvania Senate Democrats launched a lawsuit Thursday to keep a referendum to raise the state's mandatory judicial retirement age on the April primary ballot, contending that its removal would violate the constitutional rights of 21,000 voters who have already completed absentee ballots.

### Pa. Gov. Signs Bill Requiring Fiscal Review Of Labor Deals

Despite intense opposition from members his own party, Pennsylvania's Democratic governor signed GOP-backed legislation on Thursday requiring independent fiscal analysis of contracts with government employee unions.

### Once A Critic, FINRA Chief Warms To Labor Fiduciary Rule

The chief of the Financial Industry Regulatory Authority on Friday praised the U.S. Department of Labor for revising its fiduciary duty rule before finalizing it earlier this month, marking a change in tune from a year ago, when he warned that the measure could cut off retirement savers from investment advice.

## PRIVACY & CONSUMER PROTECTION

### Colorado Pushes Student Privacy Bill Forward

The Colorado legislature took steps Thursday toward the passage of a strict bill to protect young students' personally identifiable information that contemplates requiring school vendors to destroy all student PII when it's no longer needed.

## PRODUCT LIABILITY

### OSHA Puts Final Stamp On Food Safety Whistleblower Rule

The U.S. Occupational Safety and Health Administration has issued a final rule governing its procedures for retaliation complaints under the whistleblower provision of the FDA Food Safety Modernization Act, which protects workers who disclose food safety concerns in various industries, including transportation.

### Menthol Ruling Needs No Further DC Circ. Review, Gov't Says

The federal government pushed back against R.J. Reynolds' bid to have the D.C. Circuit reconsider its finding that the tobacco giant wasn't harmed by alleged bias in a study on menthol cigarettes, contending Friday that the ruling was in line with every other appeals court.

## GOVERNMENT CONTRACTS

### DOD Slammed Over 'Absurd' Afghanistan Task Force Spending

House lawmakers criticized a now-defunct U.S. Department of Defense task force Friday for purportedly wasting about \$800 million through poorly run Afghanistan development projects like an "absurd" effort to import cashmere goats, as a watchdog suggested that the Pentagon leave similar future projects to other agencies.

## INTERNATIONAL TRADE

Walsworth  
Wiley Rein  
Williams & Connolly  
Willkie Farr  
WilmerHale  
Wilson Elser  
Wilson Sonsini  
Wolf Haldenstein  
Wood Smith  
Yarmuth Wilsdon

## COMPANIES

AT&T Inc.  
AbbVie Inc.  
Altera Corporation  
Amazon.com Inc.  
America's Health Insurance Plans  
American Bar Association  
American Cable Association  
American Civil Liberties Union  
Apple Inc.  
Association of Corporate Counsel  
BearingPoint Inc.  
Best Buy Co.  
BlackRock  
Bright House Networks LLC  
CBS Corporation  
CenturyLink Inc.  
Charter Communications Inc.  
Chevron Corporation  
Chicago Bar Association  
Comcast Corporation  
Communications Workers of America  
Cox Media Group Inc.  
DraftKings Inc.  
Exelon Corporation  
Facebook  
FanDuel Inc.  
Farmers Insurance Group  
Financial Industry Regulatory Authority Inc.  
Freedom Mortgage Corp.  
Freeh Group International Solutions LLC  
Google Inc.  
Halliburton Company  
Illinois State Bar Association  
Intel Corporation  
International Brotherhood of Electrical Workers  
KPMG International  
Ketchum Inc.

## EU Wants In On Brazil-Indonesia Beef Tussle

The European Union has asked for permission to join the Brazilian government's challenge to Indonesia's food safety rules and other import requirements for bovine meat, citing its role as a major global exporter of beef products, the World Trade Organization said Friday.

### TAX

## 5 EU Nations, Panama Make Moves Against Corp. Tax Evasion

Five European Union member states agreed to automatically exchange information on ownership of companies and offshore trusts to fight corporate tax evasion, while Panama reversed course to commit to global tax reporting standards.

### BANKRUPTCY

## Atlantic City Chips Away At School District Debt

Atlantic City made half the \$8.5 million monthly payment that was due Friday to its school district, according to officials, putting a dent in the \$34 million that the New Jersey Department of Education said the struggling resort town owes.

### IMMIGRATION

## In Immigration Executive Actions Case, Standing May Be Key

The U.S. Supreme Court will hear arguments on Monday in the Obama administration's fight to undo a block on the president's immigration executive action policies, which could provide temporary deportation relief to over 4 million immigrants, with standing issues expected to play a crucial role.

## Report Finds Feds Followed Requirements With OPT Rule

The Department of Homeland Security followed the necessary steps when it created a controversial new rule that will let certain foreign students extend their optional practical training period in the U.S., a new government report found.

### NATIVE AMERICAN

## Tribal-State 'Tax Parity' Bill Introduced In House

A bill that would allow Native American tribal governments to issue tax-exempt bonds for more purposes, offer pension plans to their employees as states do and give tribes more child welfare authority was introduced in the U.S. House of Representatives on Thursday.

### TELECOMMUNICATIONS

## Roku Urges FCC Against Data Caps In Charter-TWC Review

Roku Inc. has pressed the Federal Communications Commission in its review of Charter Communications Inc. and Time Warner Cable Inc.'s merger to recognize Charter should not be able to impose data caps on customers, saying the FCC must ensure any policies barring data caps and zero-rating succeed.

### NEW YORK

## Affairs Counter Sheldon Silver's Character Claim, Gov't Says

Former New York State Assembly speaker Sheldon Silver may have had affairs with two women and used his then-position to give them preferential treatment,

Lupin Ltd.

Major League Baseball Inc.

Major League Soccer LLC

McGraw Hill Financial Inc.

Media General Inc.

Microsoft Corporation

Mylan NV

NFL Enterprises LLC

National Association of  
Manufacturers

National Basketball Association

National Cable &  
Telecommunications Association

National Collegiate Athletic  
Association

National Congress of American  
Indians

National Hockey League

Nike Inc.

Par Pharmaceutical Companies,  
Inc.

R.J. Reynolds Tobacco Co.

Research In Motion Limited

Roll Global

Scholastic Corporation

Sierra Club

State Farm

Sun Pharmaceutical

T-Mobile USA Inc.

Teva Pharmaceutical Industries  
Limited

The Gap Inc.

Time Warner Cable

Tyson Foods Inc.

U.S. Chamber of Commerce

Vail Resorts, Inc.

Verizon Communications

Xilinx, Inc.

### GOVERNMENT AGENCIES

Agency for International  
Development

Bureau of Land Management

Defense Logistics Agency

Department of Commerce

Department of Health and Human  
Services

Department of Homeland Security

Department of Labor

Department of the Interior

Equal Employment Opportunity  
Commission

Executive Office of the President

Federal Aviation Administration

CLV001106

according to court filings unsealed Friday that prosecutors say are germane to the scheduled May 3 sentencing of the fallen New York Democratic heavyweight.

TEXAS

Texas Justices' Reversal Of Atty Fee Ruling Hinges On Comma

The Texas Supreme Court on Friday held that a free-speech law that puts plaintiffs on the hook for a defendant's legal fees if the case is thrown out mandates "reasonable" attorneys' fees that cannot be reduced on the basis of "justice and equity," basing its decision on the absence of a punctuation mark in the statute.

FLORIDA

Fla. Justices Say Agency Must Pay For Records Act Violations

The Florida Supreme Court has resolved an appeals court split by ruling that a prevailing party is entitled to statutory attorneys' fees when it is found that a public agency violated the state's Public Records Act, regardless of intent by the agency.

EXPERT ANALYSIS

In Congress: IRS, FAA, Puerto Rico

The Senate is aiming to wrap up consideration of the Federal Aviation Administration reauthorization bill this week and conclude work on the long-stalled comprehensive energy reform bill, while the House will be zeroing in on legislation to provide more oversight of the IRS. Richard Hertling and Kaitlyn McClure of Covington & Burling LLP share a snapshot of the week ahead.

The Brokaw Act's Long-Term Consequences For Activists

The proposed Brokaw Act — a set of amendments to the Section 13(d) disclosure rules ostensibly designed to address supposed "short-termism" — reads like a corporate defense advocate's wish list, designed to curb and possibly eliminate activist activity. But those who decry activists ignore the profound risk of increased management entrenchment if Congress hobbles the activist community, says Jason Soncini of Kleinberg Kaplan Wolff & Cohen PC.

FAA Reauthorization Bill Attempts National Drone Policy

The Federal Aviation Administration Reauthorization Act of 2016, which was recently introduced in the U.S. Senate, specifically addresses federal preemption in the area of drone operations. It is a bold and important proposal because only two other instances of express preemption exist regarding aviation, say Mark Connot and Jason Zummo of Fox Rothschild LLP.

New Debt-Equity Rules May Have Gone Too Far

Recently proposed regulations under Section 385 of the Internal Revenue Code, which relate to characterization of interests in corporations as stock or indebtedness, would overturn the long-standing treatment of certain intercompany debt arrangements and could have far-reaching effects on U.S. and foreign companies, say attorneys with Mayer Brown LLP.

NHTSA Overreached By Claiming To Regulate Apps

In a recent bulletin, the National Highway and Traffic Safety Administration claimed that its jurisdiction extended beyond motor vehicle parts to software. But apps are a different kind of animal than anything the NHTSA has regulated in the past, and this unsupported pronouncement may end up stifling innovation, effectively hindering the development of emerging motor vehicle technology, say attorneys at K&L Gates LLP.

LEGAL INDUSTRY

Federal Bureau of Investigation  
Federal Communications Commission  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
International Monetary Fund  
International Trade Commission  
National Highway Traffic Safety Administration  
Nuclear Regulatory Commission  
Occupational Safety and Health Administration  
Securities and Exchange Commission  
Special Inspector General for Afghanistan Reconstruction  
Transportation Security Administration  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Housing and Urban Development  
U.S. Department of Justice  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
U.S. Postal Service  
U.S. Senate  
U.S. Supreme Court  
U.S. Uniform Law Commission

## 5 Ways To Botch The Beauty Contest

That first meeting with a potential client is a make-or-break situation, and former general counsels say attorneys at firms of any size can screw it up by focusing on themselves rather than the client. Here, experts share five common mistakes.

## Dentons DQ Row Shows Investors' Desire To Stay Secret

When Dentons accidentally disclosed a \$4 million litigation funding deal that revealed a client conflict, it not only gave its former client material for a multimillion-dollar malpractice suit, but highlighted the growing litigation investment industry's conflicting desires for both strict confidentiality and a higher public profile, experts said.

## Pepper Hamilton Drops Last Association With Louis Freeh

Pepper Hamilton LLP on Friday said that it had transferred the ownership of the consulting business founded by former FBI Director Louis Freeh — who at one point served as executive chairman of the firm — back to Freeh.

## Ex-Locke Lord IT Engineer Gets 9.5 Years For Network Attack

A former Locke Lord LLP information technology engineer convicted of felony computer intrusion for attacks on the firm's network in 2011 was sentenced Thursday to about 9.5 years in jail and ordered to pay \$1.7 million in restitution, according to the U.S. Department of Justice.

## GC Cheat Sheet: The Hottest Corporate News Of The Week

The "Privacy Shield" may be headed toward a court challenge, not everyone's happy about pay data collection and the Fourth Circuit says a general liability policy covers a data breach. Those stories top the corporate legal news you may have missed last week.

## In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

## Verizon Atty Hit Striking Worker With Porsche: Union

A Verizon attorney behind the wheel of a Porsche hit two company employees in Maryland out on strike, with one man sent to the hospital, according to a message posted Thursday from the workers' labor union on its website.

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Denver, Colorado

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[Constangy Brooks](#)

Covington & Burling  
Cozen O'Connor  
Davis Brown  
Eimer Stahl  
Ford & Harrison  
Fragomen Del Rey  
Franczek Radelet  
Frankfurt Kurnit  
Fredrikson & Byron  
Fross Zelnick  
Gibbs & Bruns  
Gibson Dunn  
Goodell DeVries  
Hanson Bridgett  
Hogan Lovells  
Jackson Lewis  
Jones Day  
Kitch Drutchas  
Liebert Cassidy  
Manko Gold  
Nilan Johnson  
Pepper Hamilton  
Quarles & Brady  
Reed Smith  
Royse Law Firm  
Sanford Heisler  
Seyfarth Shaw  
Shook Hardy  
Skadden  
Stokes Lawrence  
Summit Law Group  
Verrill Dana  
Walsworth  
Williams & Connolly  
Akerman  
Arent Fox  
Atkinson Andelson  
Baker Donelson  
BakerHostetler  
Ballard Spahr  
Bancroft PLLC  
Barran Liebman  
Beirne Maynard  
Bernstein Shur  
Best Best  
Beveridge & Diamond  
Bochetto & Lentz  
Bowman and Brooke  
Brownstein Hyatt  
BuckleySandler  
Butler Rubin  
Caldwell Leslie



Call & Jensen  
Carlton Fields  
Carrington Coleman  
Carroll McNulty  
Chadbourne & Parke  
Clausen Miller  
Cleary Gottlieb  
Cross Gunter  
Crowell & Moring  
Davis Graham  
Davis Wright Tremaine  
Dentons  
Dinsmore & Shohl  
Duane Morris  
Faegre Baker  
Foley & Mansfield  
Foran Glennon  
Fortney & Scott  
Fox Rothschild  
Frier & Levitt  
Frost Brown Todd  
Gray & Associates  
Gray Plant  
Greenberg Traurig  
Hall Render  
Harness Dickey  
Harris Beach  
Hinshaw & Culbertson  
Holland & Hart  
Hunton & Williams  
Ice Miller  
K&L Gates  
Kalijarvi Chuzi  
King & Spalding  
Kirkland & Ellis  
Kleinbard LLC  
Kleinberg Kaplan  
Lane Powell  
Latham & Watkins  
LeClairRyan  
Lewis Brisbois  
Lewis Longman  
Lindquist & Vennum  
Liskow & Lewis  
Locke Lord  
Lovell Lovell  
Manatt Phelps  
Marshall Dennehey  
McDermott Will  
McGinnis Lochridge  
Milam Howard  
Miller & Chevalier

MoloLamken LLP  
Morris Polich  
Norton Rose Fulbright  
Nutter McClennen  
Ogletree Deakins  
Patterson Law Firm  
Paul Hastings  
Paul Weiss  
Perkins Coie  
Polsinelli  
Proskauer Rose  
Rawle & Henderson  
Ropes & Gray  
Saul Ewing  
Schiff Hardin  
Selman Breitman  
Shipman & Goodwin  
Sive Paget  
Skellenger Bender  
SmithAmundsen LLC  
Stoel Rives  
Stradley Ronon  
Stroock & Stroock  
Thompson Coburn  
Thompson Coe  
Tressler LLP  
Troutman Sanders  
Wiley Rein  
Willkie Farr  
WilmerHale  
Wilson Elser  
Wilson Sonsini  
Wolf Haldenstein  
Wood Smith  
Yarmuth Wilsdon

#### COMPANIES

AT&T Inc.  
American Bar Association  
Google Inc.  
Chevron Corporation  
Intel Corporation  
Microsoft Corporation  
National Association of Manufacturers  
T-Mobile USA Inc.  
Verizon Communications  
AbbVie Inc.  
Altera Corporation  
Amazon.com Inc.  
America's Health Insurance Plans  
American Cable Association



American Civil Liberties Union  
Apple Inc.  
Association of Corporate Counsel  
BearingPoint Inc.  
Best Buy Co.  
BlackRock  
Bright House Networks LLC  
CBS Corporation  
CenturyLink Inc.  
Charter Communications Inc.  
Chicago Bar Association  
Comcast Corporation  
Communications Workers of America  
Cox Media Group Inc.  
DraftKings Inc.  
Exelon Corporation  
Facebook  
FanDuel Inc.  
Farmers Insurance Group  
Financial Industry Regulatory Authority Inc.  
Freedom Mortgage Corp.  
Freeh Group International Solutions LLC  
Halliburton Company  
Illinois State Bar Association  
International Brotherhood of Electrical Workers  
KPMG International  
Ketchum Inc.  
Lupin Ltd.  
Major League Baseball Inc.  
Major League Soccer LLC  
McGraw Hill Financial Inc.  
Media General Inc.  
Mylan NV  
NFL Enterprises LLC  
National Basketball Association  
National Cable & Telecommunications Association  
National Collegiate Athletic Association  
National Congress of American Indians  
National Hockey League  
Nike Inc.  
Par Pharmaceutical Companies, Inc.  
R.J. Reynolds Tobacco Co.  
Research In Motion Limited  
Roll Global  
Scholastic Corporation  
Sierra Club  
State Farm  
Sun Pharmaceutical  
Teva Pharmaceutical Industries Limited  
The Gap Inc.  
Time Warner Cable  
Tyson Foods Inc.

U.S. Chamber of Commerce  
Vail Resorts, Inc.  
Xilinx, Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Department of Labor  
Federal Communications Commission  
Food and Drug Administration  
Internal Revenue Service  
Department of Homeland Security  
Federal Aviation Administration  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
Executive Office of the President  
International Trade Commission  
National Highway Traffic Safety Administration  
Occupational Safety and Health Administration  
Securities and Exchange Commission  
Agency for International Development  
Bureau of Land Management  
Defense Logistics Agency  
Department of Commerce  
Department of Health and Human Services  
Department of the Interior  
Equal Employment Opportunity Commission  
Federal Bureau of Investigation  
Government Accountability Office  
International Monetary Fund  
Nuclear Regulatory Commission  
Special Inspector General for Afghanistan Reconstruction  
Transportation Security Administration  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Housing and Urban Development  
U.S. Department of State  
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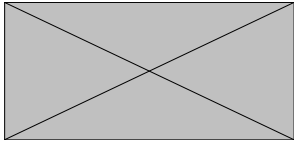
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 6/20/2018 8:47:06 AM  
**Subject:** Former Top Attys, State AGs Condemn Family Separations



**PUBLIC POLICY.**

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**Wednesday, June 20, 2018**

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## TOP NEWS

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### Former Top Attys, State AGs Condemn Family Separations

A flood of condemnation over the Trump administration's new "zero tolerance" immigration policy that's left nearly 2,000 children separated from their parents at the border poured in on Monday and Tuesday from former U.S. attorneys and state attorneys general who called for an end to the "cruel and illegal attack" on immigrant families. [Read more »](#)

### Senate To Mull Bills To End Immigrant Family Separation

Senators have started to spin up their efforts to end the White House's policy of separating undocumented immigrant parents from their children at the U.S. border Tuesday, even as partisan divides have quickly started to open up in the talks. [Read more »](#)

### Trump Backs House Immigration Reform Bills

President Donald Trump told Republican representatives at a meeting Tuesday evening that he would support immigration reform legislation, but the lawmakers were still left questioning how they would move forward on an immigration compromise reached last week. [Read more »](#)

#### Feature

### \$716B Senate Defense Bill Sets Up Clash With White House

The U.S. Senate's nearly \$716 billion version of the 2019 National Defense Authorization Act sets up several future fights, both with the White House over a clause to reinstate sanctions against Chinese technology company ZTE and with the House of Representatives over differences in philosophy — and funding. [Read more »](#)

#### Analysis

### High Court's Vitamin C Ruling Leaves Work For Lower Courts

The U.S. Supreme Court ruled in an antitrust case over Chinese vitamin C exports that U.S. courts are not bound by another country's description of its own laws, but the justices only provided a few hints about how much weight to give competing evidence about what a foreign law requires, leaving trial courts to parse the deference due in future cases. [Read more »](#)

#### Feature

### Meet The Judge Who Will Decide The ACA's Fate

The Texas federal judge presiding over the latest legal assault on the Affordable Care Act has a BigLaw background, Capitol Hill connections, deep roots in the Lone Star State and a judicial track record that could send ACA supporters reaching for bottles of Xanax. [Read more »](#)

## BANKING & SECURITIES

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Foley & Lardner  
Fried Frank  
Gibson Dunn  
Goldstein & Russell  
Greenberg Gross  
Greenberg Traurig  
Gunderson Dettmer  
Gunster  
Hogan Lovells  
Holland & Knight  
Holwell Shuster  
Hueston Hennigan  
Hunton Andrews Kurth  
Jackson Lewis  
Jenner & Block  
Jones Day  
Keker Van Nest & Peters  
Kramer Levin  
Latham & Watkins  
Littler Mendelson  
Lynn Pinker  
McDermott Will  
Milbank Tweed

CLV001115

## Ambac Opens 1st Circ. Fight Over Puerto Rico Bond Diversion

Ambac Assurance Corp. on Monday launched its opening arguments in an appeal over the diversion of highway bond revenues in Puerto Rico stemming from a ruling in the territory's bankruptcy-type cases, saying the underlying acts by the island's government violated the Constitution. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Interview

## FERC Chair Pledges To Uphold Markets Amid Trump Bailouts

Preserving the viability of regional wholesale electricity markets will be a Federal Energy Regulatory Commission priority in the face of a Trump administration plan to prop up struggling coal and nuclear power plants, FERC Chairman Kevin McIntyre told Law360 in an exclusive interview. [Read more »](#)

## White House Mulling Big NEPA Changes

The Trump administration said Tuesday it was considering major changes in how the nation's cornerstone environmental law is implemented with an eye toward streamlining permitting processes, prompting howls of criticism from green groups. [Read more »](#)

## DC Circ. Rules DOI Needn't Update Coal Lease Enviro Study

The D.C. Circuit on Tuesday held that the U.S. Department of the Interior does not have a legal obligation to reexamine the environmental impacts of its coal leasing program in order to account for climate change, in a blow for green groups that sought to force the agency's hand. [Read more »](#)

## Spain Ordered To Pay €112M Over Renewable Energy Reforms

Spain must pay more than €112 million to units of the European private equity firm Antin Infrastructure Partners for revoking certain economic incentives for renewable energy producers, marking another loss in arbitration for the country over the measures, a source with knowledge of the award told Law360 on Tuesday. [Read more »](#)

## LA County's Land-Use Plan Gets Past Enviro Group Objection

A California appeals court on Tuesday upheld Los Angeles County's approval of a 1,800-acre land use plan, rejecting a green group's argument that an additional environmental assessment was warranted because the plan relied on an outdated information. [Read more »](#)

## IP & TECHNOLOGY

## DC Circ. Backs Boehringer In FTC Atty-Client Privilege Row

The D.C. Circuit refused to overturn a ruling that communications subpoenaed from Boehringer Ingelheim Pharmaceuticals Inc. during a Federal Trade Commission pay-for-delay investigation are covered by attorney-client privilege, saying Tuesday one of their main purposes was to get legal advice. [Read more »](#)

## MEDIA & ENTERTAINMENT

## SPLC Apologizes, Pays \$3.4M For Labeling Org. 'Extremist'

The Southern Poverty Law Center has agreed to pay nearly \$3.4 million to Islamic think tank Quilliam Foundation and its founder, Maajid Nawaz, and issued a public apology to them after labeling them as "anti-Muslim extremists" in a publication, the organizations announced on Monday. [Read more »](#)

## EMPLOYMENT

Morgan Lewis  
Morrison & Foerster  
Ogletree Deakins  
Proskauer Rose  
Quinn Emanuel  
Raines Feldman  
Reed Smith  
Sanford Heisler  
Schulte Roth  
Selendy & Gay  
Simpson Thacher  
Sohagi Law Group  
Strasburger & Price  
Vinson & Elkins  
Watson LLP  
White & Case  
Winston & Strawn

## COMPANIES

Achmea BV  
Axiom Corporation  
America's Health Insurance Plans  
American Arbitration Association  
American Bar Association  
American Hospital Association  
Apple Inc.  
Association of Corporate Counsel  
Assured Guaranty Ltd.  
Avnet Inc.  
Boehringer Ingelheim  
Center for Biological Diversity Inc.  
Center on Budget and Policy  
Priorities  
Cigna Corporation  
Columbia Sportswear Company  
Deutsche Telekom AG  
Dollar Tree Inc.  
Dominion Energy Inc.  
Electronic Privacy Information  
Center  
Epic Systems Corp.  
Ernst & Young  
Facebook  
GAZ Group  
Gazprom  
Google Inc.  
Huawei Technologies  
Independence Blue Cross Inc.  
Intel Corporation  
International Centre for Settlement  
of Investment Disputes  
JPMorgan Chase & Co.

## DOL Blesses ACA-Skirting Association Health Plans

The U.S. Department of Labor published its long-anticipated final rule on association health plans on Tuesday, relaxing the requirements for small businesses to band together to create health care plans that skirt certain Affordable Care Act requirements, in a move that drew sharp criticism from Democrats and cheers from Republicans. [Read more »](#)

## Rutgers Whistleblower Row Revived Over Judge's Silence

A New Jersey state appeals court on Tuesday revived a whistleblower suit against Rutgers University from an ex-employee alleging he was fired in retaliation for his objecting to the school's procurement methods, saying a trial court failed to spell out its reasons for dismissing the case and denying a bid to extend discovery. [Read more »](#)

## COMPETITION

### EU Antitrust Chief Sees Global Progress Curbing State Aid

The European Union's top competition enforcer touted progress Tuesday in getting countries outside the EU to avoid picking economic winners and losers through "harmful subsidies," part of her efforts to take the bloc's state aid rules global. [Read more »](#)

## CYBERSECURITY & PRIVACY

### Facebook App Creator Backs Data Privacy Regulation Efforts

U.S. Senate lawmakers and cybersecurity experts, including the creator of the app that allowed Cambridge Analytica to harvest millions of unwitting Facebook users' data, on Tuesday agreed that online companies need more formal data collection and sharing rules, although some balked at the suggestion that regulation should hew too closely to the European Union's current framework. [Read more »](#)

## CONSUMER PROTECTION

### Dems Ask CFPB Pick To Describe Her Role In Border Policy

Two top Democrats on the Senate Banking Committee want to know whether a White House budget official who's been picked to lead the Consumer Financial Protection Bureau had any hand in a Trump administration policy that's resulted in the separation of more than 2,000 children from their parents at the U.S.-Mexico border since May. [Read more »](#)

## PRODUCT LIABILITY

### Opioid Research Rules Tweaked In Bills Passed By House

The U.S. House of Representatives on Tuesday passed a series of bills changing federal policy on research and approvals for opioids, as part of a broader package of measures aimed at addressing the nation's addiction crisis. [Read more »](#)

## AEROSPACE & DEFENSE

### Ex-Senate Staffer Seeks To Gag Trump Over 'Leaker' Remark

A former Senate Intelligence Committee aide asked a Washington, D.C., federal judge for a gag order on President Donald Trump on Tuesday, saying the jury pool is likely to be tainted by comments like one Trump made calling him a "leaker." [Read more »](#)

## DOJ Watchdog Reviewing Russia Probe For FBI Bias

Kindred Healthcare Inc.

LinkedIn Corp.

Major Lindsey & Africa

Microsoft Corporation

National Basketball Players Association

Natural Resources Defense Council

New York Times Co.

Nike Inc.

P.F. Chang's China Bistro Inc.

PNC Financial Services Group Inc.

Precision Castparts Corp.

PricewaterhouseCoopers

Safeco

Sinclair Broadcast Group, Inc.

SoftBank Group Corp.

Southern Poverty Law Center

T-Mobile USA Inc.

Tribune Media Co.

Twitter Inc.

U.S. Bancorp

U.S. Chamber of Commerce

Wal-Mart Stores Inc.

Washington Post Co.

Xerox Corporation

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services

Bureau of Land Management

Committee on Foreign Investment in the United States

Consumer Financial Protection Bureau

Council on Environmental Quality

Defense Health Agency

Defense Logistics Agency

Department of Commerce

European Commission

European Union

Executive Office of the President

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications Commission

Federal Energy Regulatory Commission

Federal Trade Commission

Food and Drug Administration

Government Accountability Office

Internal Revenue Service

U.S. Department of Justice Inspector General Michael Horowitz told members of Congress on Tuesday that his office is investigating whether an FBI agent's negative views of then-candidate Donald Trump played a role in the decision to open an investigation into the Trump campaign's contacts with Russia. [Read more »](#)

### **DC Circ. Grounds Battle Over Privacy In FAA Drone Rules**

The D.C. Circuit tossed a petition by the Electronic Privacy Information Center on Tuesday that sought to review small drone rules promulgated by the Federal Aviation Administration, finding the nonprofit lacked standing to mount a challenge over the exclusion of privacy safeguards. [Read more »](#)

## **INTERNATIONAL TRADE**

### **Norway Hits US With WTO Complaint Over Metal Tariffs**

Norway has hit back against President Donald Trump's steel and aluminum tariffs and filed a complaint with the World Trade Organization claiming that the duties violate global trade agreements, the WTO said Tuesday. [Read more »](#)

### **Trump Admin. Has No Plan For China Talks After Tariff Push**

The Trump administration has no imminent plans to hold new negotiations with China to resolve the two countries' escalating intellectual property and tariff fight, White House trade adviser Peter Navarro said Tuesday, adding that fruitless recent meetings with the Chinese side have shown that "talk is cheap." [Read more »](#)

## **TAX**

### **Pension Tax Ballot Measure Not Deceiving, Fla. Panel Says**

A Florida state appeals court has refused to invalidate a 2016 Jacksonville vote that established a half-penny surtax to fund the city's pension liability, finding the measure's title and summary weren't crafted in a misleading manner. [Read more »](#)

## **IMMIGRATION**

### **2 Sens. Oppose Trump's State Dept. Refugee Office Pick**

Sens. John McCain, R-Ariz., and Chris Coons, D-Del., on Tuesday penned a letter to U.S. Secretary of State Mike Pompeo opposing President Donald Trump's pick to head an office within the U.S. Department of State dealing with refugees and migrants, arguing that the nominee's anti-immigrant writings make him unfit for the position. [Read more »](#)

### **NY Plans Suit Over Family Separations At Border**

New York Gov. Andrew Cuomo said Tuesday that he and several Empire State government agencies plan to sue President Donald Trump's administration alleging constitutional rights violations for the migrant children pouring into federal shelters in the state. [Read more »](#)

### **USCIS Expects Delays In Finalizing EB-5 Rule Changes**

U.S. Citizenship and Immigration Services does not anticipate taking final action on a set of proposed modifications to the controversial EB-5 Immigrant Investor Program before authorization for its regional centers expires in late September, Director L. Francis Cissna told the Senate Judiciary Committee on Tuesday. [Read more »](#)

## **TELECOMMUNICATIONS**

### **Sprint, T-Mobile Officially Ask FCC Permission To Merge**

T-Mobile and Sprint have asked the Federal Communications Commission for

NATO

National Labor Relations Board

Office of Foreign Assets Control

Office of the U.S. Trade Representative

Oregon Department of Revenue

Pennsylvania Supreme Court

Securities and Exchange Commission

Texas Supreme Court

U.S. Agency for International Development

U.S. Air Force

U.S. Attorney's Office

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. House of Representatives

U.S. Senate

U.S. Supreme Court

World Trade Organization



permission to combine forces, according to merger documents posted Tuesday.  
[Read more »](#)

### **Gov't Control Has Stifled Spectrum Use, Think Tank Says**

Regulation of spectrum has curbed its potential productivity at a time when consumers and the country rely upon fast, ubiquitous wireless internet more than ever, according to a new report by a free-market think tank. [Read more »](#)

## **PEOPLE**

### **Ex-NBA Union Atty Joins DC AG As Senior Litigation Counsel**

A former general counsel of the National Basketball Players Association who helped ink a \$70 billion collective bargaining agreement for the union has joined the Office of the Attorney General for the District of Columbia as senior counsel for litigation.  
[Read more »](#)

## **Q&A**

### **Q&A**

#### **A Chat With Holland & Knight CFO Mia Stutzman**

In this monthly series, legal recruiters at Major Lindsey & Africa interview management from top law firms about navigating an increasingly competitive business environment. Here we feature Mia Stutzman, chief financial officer at Holland & Knight LLP. [Read more »](#)

## **EXPERT ANALYSIS**

### **New Frontier Of US Health Info Regulation Comes From EU**

While the U.S. Department of Health and Human Services Office of Civil Rights has been quiet recently with respect to Health Insurance Portability and Accountability Act enforcement actions, the newly empowered EU data protection authorities will be eager to flex their muscles and show that the General Data Protection Regulation's extraterritorial reach is not only real, but that noncompliance can be painful, say Nancy Libin and David Saunders of Jenner & Block LLP. [Read more »](#)

### **New Licenses Ease Ukraine, Russia Business Wind-Downs**

The U.S. Department of Treasury Office of Foreign Assets Control continues its effort to allow U.S. persons to wind down operations or existing contracts that would otherwise violate Ukraine- and Russia-related sanctions. Even though OFAC has issued general licenses for this purpose, U.S. persons may need to obtain specific licenses to fully divest their interests, say attorneys with Schulte Roth & Zabel LLP. [Read more »](#)

### **Series**

#### **FLSA Turns 80: A Closer Look At Conditional Cert. Standard**

While the adoption of the two-stage standard for collective action certification may have been born of good intention, its current interpretation strains judicial resources and forces settlement regardless of the merits of Fair Labor Standards Act litigation, say Sari Alamuddin and Allison Powers of Morgan Lewis & Bockius LLP. [Read more »](#)

### **Opinion**

#### **Oregon Should Reinstate Its Tax Haven Law**

Repeal of the Oregon tax haven provision was an unwarranted giveaway to profitable multinational corporations that are exploiting foreign tax havens to shift profits earned in Oregon beyond the tax reach of the state. The law should be reinstated, says Michael Mazerov of the Council on Budget and Policy Priorities. [Read more »](#)

### **Rebuttal**



## Physician Observation Billing Concerns Are Unwarranted

A recent Expert Analysis article titled “Challenges In Billing Physician Observation Services” needlessly raises concern among hospitals and physicians about proper billing by physicians for Medicare observation services, says Sheree Kanner of Hogan Lovells. [Read more »](#)

## #MeToo At Law Firms And What We Can Do About It

While some may say it's ironic, it's also embarrassing and enraging that the very industry that offers anti-harassment training, policies and counsel now finds itself the subject of #MeToo headlines. The American Bar Association recommendation that will bring about the greatest change is the call to provide alternative methods for reporting violations, says Beth Schroeder, chair of Raines Feldman LLP's labor and employment group. [Read more »](#)

## LEGAL INDUSTRY

### Jones Day Sued Over Alleged Gender Bias, 'Fraternity Culture'

A former Jones Day partner sued the firm in California court Tuesday for allegedly treating women as “second-class citizens,” providing preferential treatment to men and firing her for speaking out against its alleged “fraternity culture.” [Read more »](#)

#### Analysis

### 3 Takeaways From The Recent Round Of Associate Raises

The recent race among law firms to raise salaries and bonuses for associates is likely to change the recruitment landscape for young lawyers and put further distance between an elite echelon of highly profitable firms that can attract the top talent and everyone else, but the upshot for clients is less clear. [Read more »](#)

### Reed Smith And Greenberg Opt Out Of Associate Pay Raises

As more law firms each day announce their decisions to raise associate pay to match new industry benchmarks set earlier this month by Milbank Tweed Hadley McCloy LLP and Cravath Swaine & Moore LLP, a few law firms have made it clear they plan to opt out. [Read more »](#)

### 2 More Law Firms Match Cravath's Associate Pay Raises

Vinson & Elkins LLP and Kramer Levin Naftalis & Frankel LLP have both announced associate raises matching the new pay scale set by Cravath Swaine & Moore LLP last week, according to internal memos made public over the past days. [Read more »](#)

### Ex-Prof Slams For-Profit Law School's Bid To Slip FCA Suit

A former professor and an alumnus of the now-closed Charlotte School of Law slammed it and its parent company, Infilaw Corp., in a filing in Florida federal court Monday, deriding their attempts to escape a False Claims Act suit over how the for-profit institution was operated. [Read more »](#)

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#### **LAW FIRMS**

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[Cooley](#)

[Gibson Dunn](#)

Greenberg Traurig  
Proskauer Rose  
Reed Smith  
Vinson & Elkins  
Axinn  
Ayres Law Group  
Baker McKenzie  
Barack Ferrazzano  
Bredhoff & Kaiser  
Buckley Sandler  
Clark Hill  
Dorsey & Whitney  
Ferraiuoli LLC  
Foley & Lardner  
Fried Frank  
Goldstein & Russell  
Greenberg Gross  
Gunderson Dettmer  
Gunster  
Hogan Lovells  
Holland & Knight  
Holwell Shuster  
Hueston Hennigan  
Hunton Andrews Kurth  
Jackson Lewis  
Jenner & Block  
Keker Van Nest & Peters  
Kramer Levin  
Latham & Watkins  
Littler Mendelson  
Lynn Pinker  
McDermott Will  
Morgan Lewis  
Morrison & Foerster  
Ogletree Deakins  
Quinn Emanuel  
Raines Feldman  
Sanford Heisler  
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Strasburger & Price  
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**COMPANIES**

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Center for Biological Diversity Inc.  
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Washington Post Co.  
Achmea BV  
Axiom Corporation  
America's Health Insurance Plans  
American Arbitration Association  
American Hospital Association  
Association of Corporate Counsel  
Assured Guaranty Ltd.  
Avnet Inc.  
Boehringer Ingelheim  
Center on Budget and Policy Priorities  
Cigna Corporation  
Columbia Sportswear Company  
Deutsche Telekom AG  
Dollar Tree Inc.  
Dominion Energy Inc.  
Electronic Privacy Information Center  
Epic Systems Corp.  
GAZ Group  
Gazprom  
Google Inc.  
Huawei Technologies  
Independence Blue Cross Inc.  
Intel Corporation  
International Centre for Settlement of Investment Disputes  
JPMorgan Chase & Co.  
Kindred Healthcare Inc.  
LinkedIn Corp.  
Microsoft Corporation  
National Basketball Players Association  
Natural Resources Defense Council  
Nike Inc.  
P.F. Chang's China Bistro Inc.  
PNC Financial Services Group Inc.  
Precision Castparts Corp.  
PricewaterhouseCoopers  
Safeco  
Sinclair Broadcast Group, Inc.  
SoftBank Group Corp.  
Southern Poverty Law Center  
T-Mobile USA Inc.  
Tribune Media Co.  
Twitter Inc.  
U.S. Bancorp  
U.S. Chamber of Commerce  
Wal-Mart Stores Inc.  
Xerox Corporation

## GOVERNMENT AGENCIES

U.S. Department of Justice  
European Union  
U.S. Department of Homeland Security  
U.S. Supreme Court  
Executive Office of the President  
World Trade Organization  
Department of Commerce  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Trade Commission  
U.S. Department of Energy  
U.S. Department of the Interior  
U.S. Senate  
Bureau of Citizenship and Immigration Services  
Bureau of Land Management  
Committee on Foreign Investment in the United States  
Consumer Financial Protection Bureau  
Council on Environmental Quality  
Defense Health Agency  
Defense Logistics Agency  
European Commission  
Federal Aviation Administration  
Federal Energy Regulatory Commission  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
NATO  
National Labor Relations Board  
Office of Foreign Assets Control  
Office of the U.S. Trade Representative  
Oregon Department of Revenue  
Pennsylvania Supreme Court  
Securities and Exchange Commission  
Texas Supreme Court  
U.S. Agency for International Development  
U.S. Air Force  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of the Treasury  
U.S. House of Representatives

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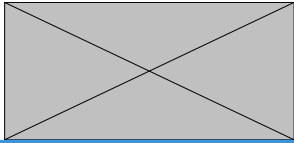
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**Subject:** The Best Law Firms For Female Attorneys



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**Monday, July 24, 2017**

### GLASS CEILING

#### The Best Law Firms For Female Attorneys

While the legal industry continues to struggle with gender parity, this year's Glass Ceiling Report shows that some firms are ahead of the rest. Here, Law360 reveals its third annual ranking of the best law firms for female attorneys, based on their representation of women at the nonpartner and partner levels. [Read more »](#)

#### The 2017 Law360 Glass Ceiling Report

U.S. law firms have long been overwhelmingly dominated by men, particularly at the partnership level, and Law360's latest Glass Ceiling Report shows that recent progress has been — at best — only incremental. [Read more »](#)

#### The Best Law Firms For Female Partners

Although women have made some strides toward gender parity in the lower ranks of law firms, breaking into the equity tier remains elusive. These 20 firms, however, are leaders in advancing equality at the top, earning them the designation of Law360 Ceiling Smasher. [Read more »](#)

#### How 4 Firms Are Moving The Needle On Gender Diversity

A handful of law firms of various sizes and types are outpacing their peers on including women in their ranks. Here's why four of them are positioned toward the front of the pack. [Read more »](#)

#### BigLaw Bias Suits New Wild Card In Fight For Gender Equity

As gender bias suits pile up against law firms, it remains to be seen how they will impact recruiting in the industry. But some legal experts say firm leaders may want to look at the complaints as blueprints for change. [Read more »](#)

#### Could An NFL Diversity Rule Be A BigLaw Game-Changer?

In a bid to elevate more women to positions of authority, law firms are taking a page from the National Football League's playbook. [Read more »](#)

#### 4 Female Perspectives On BigLaw Leadership

Only a handful of the largest U.S. law firms are led by women. Here, in their own words, are perspectives from Shook Hardy & Bacon Chair Madeleine McDonough, Crowell & Moring Chair Angela Styles, Morgan Lewis & Bockius Chair Jami Wintz McKeon and Goodwin Procter Chair Emeritus Regina Pisa. [Read more »](#)

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#### LAW FIRMS

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Akin Gump  
Alston & Bird  
Baker Donelson  
BakerHostetler  
Benesch Friedlander  
Boies Schiller  
Bowman and Brooke  
Brownstein Hyatt  
Carlton Fields  
Chadbourne & Parke  
Cohen Milstein  
Covington & Burling  
Cravath Swaine  
Crowell & Moring  
DLA Piper  
DeCotiis FitzPatrick  
Dentons  
Despres Schwartz  
Dowd Bennett  
Duane Morris  
Earthjustice  
Epstein Becker Green  
Fenwick & West  
Fish & Richardson  
Fisher Phillips  
Florio Kenny  
Flynn Peeler

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## TOP NEWS

### Key ACA Repeal Elements Need 60 Votes

Important parts of Affordable Care Act repeal legislation cannot be approved in the U.S. Senate with a simple majority, dealing a fresh setback to the Republican repeal effort, according to procedural rulings Friday. [Read more »](#)

### Trump Nominates 6 More For US Atty Spots In 5 States

President Donald Trump tapped six U.S. attorneys for regions of Wyoming, South Dakota, Georgia, Tennessee and Alaska Friday and his choices included litigators who have worked for Alston & Bird LLP and King & Spalding LLP, according to a statement from the White House. [Read more »](#)

### Akin Leads BigLaw Lobbying Revenues For 2nd Quarter

Law firm lobbying revenues have risen for most major law firms since the beginning of the year, with Akin Gump Strauss Hauer & Feld LLP raking in \$9.7 million in the second quarter of 2017, far outpacing runners up Brownstein Hyatt Farber Schreck LLP and Squire Patton Boggs LLP. [Read more »](#)

#### Analysis

### DOL Agenda Looks To Deliver On Regulatory Relief Promises

The regulatory agenda unveiled by the Trump administration on Thursday added the U.S. Department of Labor's 2011 rule barring restaurants from including nontipped workers in tip pools to the long list of Obama-era workplace regulations currently on the chopping block. Here, attorneys discuss what the latest regulatory outlook means for employers. [Read more »](#)

### SEC Cuts Dodd-Frank Mandates From Rule-Making Agenda

The U.S. Securities and Exchange Commission has slashed its rule-making priorities for the coming year, according to a regulatory agenda posted Thursday, joining other regulators in pushing off proposals on executive compensation and dropping a host of other Dodd-Frank mandated rules. [Read more »](#)

### Kasowitz Stepping Aside From Russia Probe

Marc Kasowitz is no longer playing an active role in the representation of President Donald Trump in the Russia investigation, according to multiple news reports Thursday night. [Read more »](#)

## BANKING & SECURITIES

### Regulators Delay Volcker Enforcement For Foreign Funds

U.S. regulators said Friday they would not enforce parts of the Volcker Rule on foreign banks as part of a review of treatment of foreign funds that should be exempt from the Dodd-Frank Act regulation. [Read more »](#)

### CFPB Says Payday Lending, Debt Collection Rules Coming

The Consumer Financial Protection Bureau on Thursday said it intends to move forward with rules for the payday loan and debt collection markets even as rumors swirl about the future of the bureau's director and Republicans look to nullify a recently released major regulation. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### EPA Wrongly Delaying Chemical Rule, Enviros Tell DC Circ.

Green groups and the nation's largest industrial union told the D.C. Circuit on Thursday that the U.S. Environmental Protection Agency is improperly twisting the Clean Air Act to justify a 20-month delay of an Obama-era chemical risk management rule. [Read more »](#)

FordHarrison  
Fragomen Del Rey  
Gibson Dunn  
Goodwin  
Graham & Dunn  
Greenberg Traurig  
Grove Eisen  
Hogan Lovells  
Holland & Knight  
Hunton & Williams  
Husch Blackwell  
Jackson Lewis  
Jones Day  
K&L Gates  
Kasowitz Benson  
Keller and Heckman  
Kennerly Loutey  
King & Spalding  
Kirkland & Ellis  
Latham & Watkins  
LeClairRyan  
Lewis Brisbois  
Lewis Reed  
Littler Mendelson  
Maclay Murray  
Mayer Brown  
Miller Canfield  
Miller Nash  
Mintz Levin  
Morgan Lewis  
Morrison & Foerster  
Munger Tolles  
Munsch Hardt  
Norton Rose Fulbright  
O'Melveny & Myers  
O'Neill & Borges  
Ogletree Deakins  
Organ Cole  
Orrick Herrington  
Outten & Golden  
Paul Hastings  
Peckar & Abramson  
Pepper Hamilton  
Proskauer Rose  
Pryor Cashman  
Quinn Emanuel  
Ropes & Gray  
Sandberg Phoenix  
Sanford Heisler  
Sedgwick LLP  
Shook Hardy

## HEALTH & LIFE SCIENCES

### FDA's E-Cig Rule Survives Industry Challenge

The U.S. Food and Drug Administration acted within its authority when it enacted a major new regulation requiring electronic cigarettes to win agency approval, a D.C. federal judge ruled Friday. [Read more »](#)

## IP & TECHNOLOGY

### NJ Court Won't Halt Christie's IT Dept. Decentralization

The New Jersey Appellate Division on Thursday declined to halt Republican Gov. Chris Christie's executive order to decentralize the state's Office of Information Technology workers and disband them to the respective agencies they serve, a move the office's union says could compromise the quality of the state's computer systems. [Read more »](#)

## MEDIA & ENTERTAINMENT

### Miami Land Sale For Beckham Soccer Stadium Challenged

A lawsuit filed Thursday is challenging Miami-Dade County officials' recent approval of a \$9 million, no-bid deal to sell former soccer star David Beckham a parcel of land to complete his plans for a new soccer stadium needed to land Miami an expansion Major League Soccer franchise. [Read more »](#)

### Calif. Assemblyman Introduces Sports Betting Amendment

A California constitutional amendment was introduced in the state Assembly on Thursday that, if passed, would let the state Legislature authorize sports betting only if a federal ban is modified. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### DC Circ. Affirms DOT's E-Cig Ban On Commercial Flights

A divided D.C. Circuit on Friday upheld the U.S. Department of Transportation's ban on electronic cigarette use on commercial flights, saying the regulation reasonably squared with federal law banning traditional smoking on airplanes to protect passengers' health and to maintain safe and adequate air transportation. [Read more »](#)

### St. Louis Cabbies Can't Prove Uber Stole Biz, Judge Says

A Missouri federal judge ruled Friday that a proposed class of taxi drivers didn't prove they had an expectation of future business that Uber purportedly stole from them when it intentionally flouted St. Louis regulations requiring all for-hire drivers to get fingerprinted and obtain commercial drivers' licenses. [Read more »](#)

### NJ Knocked Out Of GWB Scandal Class Action Over Immunity

New Jersey has been released from a putative consolidated class action over politically motivated lane closures at the George Washington Bridge after a New Jersey federal judge determined that the state was immune from liability and tossed the sole remaining claim against it. [Read more »](#)

## EMPLOYMENT

### Biz Groups Continue 5th Circ. Attack On DOL Fiduciary Rule

Several financial and insurance industry groups, including the U.S. Chamber of Commerce, urged the Fifth Circuit on Thursday to rule against the U.S. Department of Labor's fiduciary rule for retirement account advisers, saying the rule's definition

Skadden  
Squire Patton Boggs  
Step toe & Johnson LLP  
Thompson Coe  
Venable LLP  
Walsworth  
Weil Gotshal  
Weissman & Mintz  
Williams & Connolly  
Williams Mullen  
WilmerHale  
Winston & Strawn

## COMPANIES

3M Company  
Airbnb Inc.  
Altman Weil Inc.  
American Bar Association  
American Council of Life Insurers  
American Express Company  
American Federation of Labor and Congress of Industrial Organizations  
American Federation of State, County and Municipal Employees  
American Immigration Lawyers Association  
American Intellectual Property Law Association  
Apple Inc.  
Associated Press  
BTI Consulting Group Inc.  
Blue Cross Blue Shield of Michigan Inc.  
Blue Cross and Blue Shield Association  
Boston Consulting Group  
Burford Capital LLC  
CBS Corporation  
California Association of Realtors  
Capital One Financial Corporation  
Caterpillar Inc.  
Communications Workers of America  
Competitive Enterprise Institute  
Deloitte Touche  
DraftKings Inc.  
Facebook  
FanDuel Inc.  
Financial Services Roundtable  
Gannett Co. Inc.  
Google Inc.  
Helsinn Healthcare SA



of a fiduciary “defies centuries of precedent.” [Read more »](#)

### **NJ Court Upholds Judgment For Whistleblower City Atty**

A New Jersey state appeals court on Friday upheld a default judgment against the city of Orange in a whistleblower suit from a former assistant city attorney, saying a trial court properly struck Orange's answer with prejudice after the municipality failed to provide its reasons for firing the lawyer in writing. [Read more »](#)

## **PRIVACY & CYBERSECURITY**

### **Analysis**

#### **Wash. Expands Biometric Privacy Quilt With More Limited Law**

A newly enacted Washington state law governing the collection and use of consumers' biometric information is seen as a more business-friendly alternative to an Illinois law that has provoked a flurry of consumer suits, and may stand as a model for states to emulate in future legislation, experts say. [Read more »](#)

## **GOVERNMENT CONTRACTS**

### **Ill. Ducks Human Service Coalition's Pay Suit**

A lawsuit that would have forced the state of Illinois to pay out tens of millions of dollars to human and social service agencies contracted with the state has been dismissed from St. Clair County Court, the coalition announced Thursday. [Read more »](#)

## **AEROSPACE & DEFENSE**

### **DOD Enacting Measures To Improve Acquisitions, GAO Says**

The Department of Defense is putting in place measures to make it easier for commercial science and tech firms to participate in the procurement process, according to a report made public Thursday by the Government Accountability Office. [Read more »](#)

## **INTERNATIONAL TRADE**

### **Trump Fleshes Out USTR Team With Arbitration Specialist**

President Donald Trump unveiled another potential addition to his trade team on Thursday, nominating a Williams & Connolly LLP international arbitration attorney to serve as a deputy U.S. trade representative. [Read more »](#)

### **White House Will Probe Defense Industry Amid Trade Fears**

President Donald Trump ordered a thorough review of the national defense industrial base Friday, as the government seeks to gather information about whether U.S. companies can meet the commercial demand for national security goods including steel, circuit boards and flat-panel displays. [Read more »](#)

## **TAX**

### **Christie Rejects 'Airbnb' Tax, Citing Cost To Tourists**

New Jersey Governor Chris Christie on Friday vetoed a bill that would have levied a tax on short-term online rental accommodations such as Airbnb and FlipKey, saying the proposed tax would hurt New Jersey's economy. [Read more »](#)

### **Mich. Residents Challenge State's Tax Sales At High Court**

A group of Michigan taxpayers fighting to get some of the proceeds from tax foreclosures on their property appealed to the Supreme Court last week, arguing

Huron Consulting Group Inc.  
IMG Worldwide Inc.  
IP Owners Association  
LawVision Group LLC  
Legalist Inc.  
Lex Mundi Ltd  
Life Partners Holdings Inc.  
Major League Soccer LLC  
Massachusetts Mutual Life Insurance  
NFL Enterprises LLC  
National Basketball Association  
National Collegiate Athletic Association  
National Restaurant Association  
National Rifle Association of America  
New York Times Co.  
Pacific Legal Foundation  
Pfizer Inc.  
PhRMA  
Pinterest Inc.  
Pittsburgh Steelers  
Planned Parenthood Federation  
Rabobank Nederland  
Russell Reynolds Associates Inc.  
SIFMA  
Securus Technologies Inc.  
Sierra Club  
Snap Inc.  
Sprint Nextel Corporation  
St. Louis Metropolitan Taxicab Commission  
Target Corporation  
The Boeing Company  
Trump Organization Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Uber Technologies Inc.  
United Continental Holdings Inc.  
United Steelworkers  
Wal-Mart Stores Inc.  
Xerox Corporation  
Zeughauser Group LLC

## **GOVERNMENT AGENCIES**

Bureau of Alcohol Tobacco  
Firearms and Explosives  
Bureau of Citizenship and  
Immigration Services  
Centers for Disease Control and  
Prevention

that Michigan law allows the state to get an unconstitutional windfall from tax sales. [Read more »](#)

### **Calif. Realtors Want To Expand Transferable Property Tax Cap**

The California Association of Realtors wants to expand the state's rule, currently limited by age and county, that allows homeowners to take property tax caps pegged to their house and transfer them to new homes, and the group proposed three different ways to do that Thursday. [Read more »](#)

### **9th Circ. Won't Rethink Pause Of LA Power Tax Row**

A Ninth Circuit panel unanimously shot down a proposed class of Los Angeles residents' attempt to restart their suit against the city Wednesday, leaving allegations of illegally collected taxes in California's state courts. [Read more »](#)

## **BANKRUPTCY**

### **Puerto Rico Pension Law Spurs Bondholder Suit Against US**

A group of investors with billions at stake in Puerto Rico public pension bonds has sued the United States, saying a federally appointed oversight panel played an outside role in the passage of recent legislation that unconstitutionally diverts their secured collateral in employer pension contributions. [Read more »](#)

## **IMMIGRATION**

### **20 Democratic AGs Ask Trump To Defend DACA Program**

A group of 20 Democratic attorneys general asked President Donald Trump on Friday to defend the Obama administration program allowing unauthorized immigrants who arrived as children to stay in the U.S., a request that came against a backdrop of opposition from some Republican state AGs and an uncommitted White House. [Read more »](#)

### **Latino Lawmakers Ax Texas Event Over Sanctuary City Law**

The National Hispanic Caucus of State Legislators won't be hosting its annual conference in Texas later this year as planned, becoming the latest organization to move a convention out of the state in response to a controversial "sanctuary cities" law that opponents say undermines due process and scapegoats immigrants. [Read more »](#)

## **TELECOMMUNICATIONS**

### **FCC Confirms 1st May Cyberattack 'Analysis' Was Unwritten**

The Federal Communications Commission on Thursday confirmed that it did not initially create a written analysis of a May cyberattack that temporarily slowed its online comment system, but it denied reports that it skimmed on record-keeping, saying news stories based on its response to a Freedom of Information Act request were "categorically false." [Read more »](#)

### **Senate Bill Clarifies FCC Inmate Calling Rate Regulations**

U.S. Senator Tammy Duckworth, D-Ill., introduced legislation Thursday clarifying the Federal Communications Commission's powers to regulate intrastate calling rates for inmates and their families as a means of improving recidivism rates. [Read more »](#)

## **PEOPLE**

### **Ex-Philly, Baltimore Mayors Join Dentons' Public Policy Team**

Two prominent former mayors, Michael Nutter of Philadelphia and Stephanie

Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Equal Employment Opportunity Commission  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Housing Finance Agency  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Georgia General Assembly  
Government Accountability Office  
Illinois Supreme Court  
International Chamber of Commerce  
NAFTA  
National Credit Union Administration  
National Institutes of Health  
National Labor Relations Board  
Office of Federal Contract Compliance Programs  
Office of the Comptroller of the Currency  
Port Authority of New York & New Jersey  
Securities and Exchange Commission  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court

Rawlings-Blake of Baltimore, have joined Dentons as senior advisors to the firm's local government solutions team. [Read more »](#)

### **Hogan Lovells Snags Veteran HHS, FDA Attorney**

After 25 years at the U.S. Department of Health and Human Services and U.S. Food and Drug Administration, David Horowitz has joined Hogan Lovells as a partner in Washington, D.C., focusing on regulatory compliance, the firm recently said. [Read more »](#)

## **EXPERT ANALYSIS**

### **The Elephant In The Room: Advancing Women To Partnership**

Despite more focus and investment, the numbers continue to show little progress in advancing women to the top tiers of firm leadership. Considering the irreversible nature of the transformation of the market for top talent, it is time to start experimenting and innovating from the core, rather than from the periphery, say Anusia Gillespie and Scott Westfahl of Harvard Law School. [Read more »](#)

### **Improving Medicare With Expanded Telehealth Services**

The U.S. Senate Finance Committee recently approved a bill that would expand Medicare reimbursement of telehealth services. Anthea Daniels of Baker Donelson Bearman Caldwell & Berkowitz PC reviews the proposed changes and how they would loosen the current telehealth limitations. [Read more »](#)

### **What To Know About Proposed Changes To Tip-Pooling Rule**

The U.S. Department of Labor recently announced plans to propose a full rescission of its controversial tip-pooling restrictions. While the announcement does not immediately change existing law, it sets into motion regulatory action that could aid hospitality employers across the country, says Susan Schaecher of Fisher Phillips. [Read more »](#)

### **How Midsize Law Firms Can Minimize Cybersecurity Threats**

It can be challenging for midsize law firms to develop an enterprise cybersecurity program that mitigates the eminent threat of data breach and meets the regulatory and compliance requirements of the firm and its clients. This challenge becomes daunting when considering the steady rise in client audits, say K. Stefan Chin of Peckar & Abramson PC and John Sweeney of Logicforce. [Read more »](#)

## **LEGAL INDUSTRY**

### **Quinn Dropped Uber Due To Fixed Fee Program, Doc Says**

Quinn Emanuel Urquhart & Sullivan LLP dropped Uber Technologies Inc. as a client last fall because a fixed fee arrangement "no longer made financial sense," according to an email disclosed Thursday in the California federal court intellectual property battle filed against Uber by the firm's current client Waymo LLC. [Read more »](#)

### **Dentons To Acquire 250-Lawyer Scottish Law Firm**

The world's largest law firm is about to grow again; Dentons announced Friday that it's set to combine with Scotland's Maclay Murray & Spens, an approximately 250-lawyer firm that will bring the global legal giant's U.K. headcount to around 800. [Read more »](#)

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

A new report surveys the law firms that legal departments love to work with the most, experts advise employers on how to navigate legal issues that can arise when a worker is suffering from a mental illness, and tech general counsel weigh in on how the male-dominated industry can combat "bro culture." These are some of the top stories in corporate legal news you may have missed this past week. [Read more »](#)

## Law360's Pro Say Podcast: All Eyes On Litigation Funding

On the latest episode of Law360's Pro Say podcast, the team discusses the push for more scrutiny of litigation funders, a Massachusetts ruling that will make it harder for employers to fire medical marijuana users, and the latest legal woes of rapper DMX. [Read more »](#)

## In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

### **JOBS**

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### **LAW FIRMS**

Covington & Burling  
Hogan Lovells  
Jackson Lewis  
Norton Rose Fulbright  
Weil Gotshal  
Alston & Bird  
Boies Schiller  
Chadbourne & Parke  
Cohen Milstein  
Cravath Swaine  
DLA Piper  
Dentons  
Fenwick & West  
Fragomen Del Rey  
Gibson Dunn  
Greenberg Traurig  
Hunton & Williams  
Jones Day  
King & Spalding  
Latham & Watkins  
LeClairRyan  
Morrison & Foerster  
Proskauer Rose  
Quinn Emanuel  
Sedgwick LLP  
WilmerHale  
Adelson Testan  
Akin Gump  
Baker Donelson  
BakerHostetler  
Benesch Friedlander  
Bowman and Brooke  
Brownstein Hyatt  
Carlton Fields  
Crowell & Moring  
DeCotiis FitzPatrick  
Despres Schwartz  
Dowd Bennett  
Duane Morris

Earthjustice  
Epstein Becker Green  
Fish & Richardson  
Fisher Phillips  
Florio Kenny  
Flynn Peeler  
FordHarrison  
Goodwin  
Graham & Dunn  
Growe Eisen  
Holland & Knight  
Husch Blackwell  
K&L Gates  
Kasowitz Benson  
Keller and Heckman  
Kennerly Loutey  
Kirkland & Ellis  
Lewis Brisbois  
Lewis Reed  
Littler Mendelson  
Maclay Murray  
Mayer Brown  
Miller Canfield  
Miller Nash  
Mintz Levin  
Morgan Lewis  
Munger Tolles  
Munsch Hardt  
O'Melveny & Myers  
O'Neill & Borges  
Ogletree Deakins  
Organ Cole  
Orrick Herrington  
Outten & Golden  
Paul Hastings  
Peckar & Abramson  
Pepper Hamilton  
Pryor Cashman  
Ropes & Gray  
Sandberg Phoenix  
Sanford Heisler  
Shook Hardy  
Skadden  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Thompson Coe  
Venable LLP  
Walsworth  
Weissman & Mintz  
Williams & Connolly  
Williams Mullen  
Winston & Strawn

## COMPANIES

American Bar Association  
Uber Technologies Inc.  
Twitter Inc.  
American Federation of Labor and Congress of Industrial Organizations  
American Federation of State, County and Municipal Employees  
Communications Workers of America  
Facebook  
Google Inc.  
NFL Enterprises LLC  
National Restaurant Association  
3M Company  
Airbnb Inc.  
Altman Weil Inc.  
American Council of Life Insurers  
American Express Company  
American Immigration Lawyers Association  
American Intellectual Property Law Association  
Apple Inc.  
Associated Press  
BTI Consulting Group Inc.  
Blue Cross Blue Shield of Michigan Inc.  
Blue Cross and Blue Shield Association  
Boston Consulting Group  
Burford Capital LLC  
CBS Corporation  
California Association of Realtors  
Capital One Financial Corporation  
Caterpillar Inc.  
Competitive Enterprise Institute  
Deloitte Touche  
DraftKings Inc.  
FanDuel Inc.  
Financial Services Roundtable  
Gannett Co. Inc.  
Helsinn Healthcare SA  
Huron Consulting Group Inc.  
IMG Worldwide Inc.  
IP Owners Association  
LawVision Group LLC  
Legalist Inc.  
Lex Mundi Ltd  
Life Partners Holdings Inc.  
Major League Soccer LLC  
Massachusetts Mutual Life Insurance  
National Basketball Association  
National Collegiate Athletic Association  
National Rifle Association of America  
New York Times Co.  
Pacific Legal Foundation  
Pfizer Inc.

PhRMA  
Pinterest Inc.  
Pittsburgh Steelers  
Planned Parenthood Federation  
Rabobank Nederland  
Russell Reynolds Associates Inc.  
SIFMA  
Securus Technologies Inc.  
Sierra Club  
Snap Inc.  
Sprint Nextel Corporation  
St. Louis Metropolitan Taxicab Commission  
Target Corporation  
The Boeing Company  
Trump Organization Inc.  
Turner Broadcasting System Inc.  
U.S. Chamber of Commerce  
United Continental Holdings Inc.  
United Steelworkers  
Wal-Mart Stores Inc.  
Xerox Corporation  
Zeughauser Group LLC

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Equal Employment Opportunity Commission  
Securities and Exchange Commission  
U.S. Department of Labor  
U.S. Senate  
Consumer Financial Protection Bureau  
Executive Office of the President  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Reserve System  
Food and Drug Administration  
National Labor Relations Board  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. House of Representatives  
Bureau of Alcohol Tobacco Firearms and Explosives  
Bureau of Citizenship and Immigration Services  
Centers for Disease Control and Prevention  
Commodity Futures Trading Commission  
Federal Bureau of Investigation  
Federal Housing Finance Agency  
Federal Trade Commission  
Georgia General Assembly  
Government Accountability Office  
Illinois Supreme Court  
International Chamber of Commerce

NAFTA  
National Credit Union Administration  
National Institutes of Health  
Office of Federal Contract Compliance Programs  
Office of the Comptroller of the Currency  
Port Authority of New York & New Jersey  
U.S. Department of Defense  
U.S. Department of Transportation  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
U.S. Patent and Trademark Office

## **JOBS**

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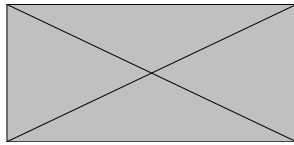
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 3/3/2017 9:30:13 AM  
**Subject:** [Marketing Mail] Sessions Exits Probes Into Russian Election Meddling



**PUBLIC POLICY**

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**Friday, March 3, 2017**

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## **TOP NEWS**

### **Sessions Exits Probes Into Russian Election Meddling**

U.S. Attorney General Jeff Sessions has officially recused himself from reported ongoing investigations into Russian interference in the 2016 election and possible ties to the Trump campaign after news broke that he had contact with the Russian ambassador to the U.S.

### **House Intel Committee Sets Out Scope Of Russia Probe**

The two top members of the House Intelligence Committee on Wednesday agreed on the scope of the committee's pending investigation into Russian interference with the 2016 U.S. election, following previous inter-party wrangling over how far the investigation should go.

### **House Passes Bill To Open Rule-Making Process**

Over Democratic members' complaints, the House voted through a measure Thursday that backers claimed would bring to heel overzealous agencies lobbying behind the scenes for burdensome rules that then affect the public.

### **Trump Begins Drawing Battle Lines Against WTO**

The Trump administration's penchant for upending policy norms continued apace this week as the White House took aim at the World Trade Organization, stoking fears that the U.S. government could continue to wall itself off from its major trading partners and political allies.

#### **Analysis**

### **FCC's Halt Of Privacy Rule Signals Net Neutrality Reversal**

The Federal Communications Commission's vote Wednesday to prevent an element of broadband provider privacy regulations from taking effect shows an intent to upend the reclassification of broadband providers as common carriers, the legal bedrock of the FCC's net neutrality rules, experts say.

### **House Releases New \$578B Defense Spending Bill For 2017**

The House Appropriations Committee on Thursday unveiled the final version of the fiscal year 2017 defense funding bill, authorizing \$577.9 billion in defense spending, saying the legislation should receive a vote in the House next week.

#### **Analysis**

### **GSA Tech Unit's Model Chafes At Gov't Rules**

A recent report knocking the U.S. General Services Administration's tech "startup" unit 18F for flouting GSA information technology usage, security and acquisition requirements both exaggerates the extent of the issue and ignores the underlying problem of overly rigid government IT rules, critics say.

### **Dems Want Pink Slip For Sessions After Russian Revelations**

A virtual tidal wave of Democratic lawmakers have demanded the resignation of U.S. Attorney General Jeff Sessions after reports surfaced Wednesday that the

## **LAW FIRMS**

Alston & Bird  
Capstone Law APC  
Chadbourne & Parke  
Chiesa Shahanian  
Cleary Gottlieb  
Covington & Burling  
Davis Wright Tremaine  
Dentons  
Dewey & LeBoeuf  
Dorsey & Whitney  
Earthjustice  
Eversheds Sutherland  
Fenwick & West  
Fletcher Heald  
Foley Hoag  
Gibson Dunn  
Goodwin  
Greenberg Glusker  
Guilfoil Petzall  
Harman Claytor  
Haynes and Boone  
Herrick Feinstein  
Hinshaw & Culbertson  
Holland & Knight  
Hunton & Williams  
Latham & Watkins  
Lowenstein Sandler  
Mayer Brown  
McElroy Deutsch  
Miller & Chevalier  
Norton Rose Fulbright  
Orrick Herrington  
Pashman Stein  
Pillsbury Winthrop  
Powers Pyles  
Proskauer Rose  
Reed Smith  
Ropes & Gray  
Sanford Heisler

CLV001136

newly minted Justice Department chief misled senators about meeting with Russian officials during the 2016 presidential campaign.

### **Ben Carson Gets Senate's Approval As HUD Secretary**

The Department of Housing and Urban Development got a new director Thursday, after a Senate vote approved President Donald Trump's pick of former presidential candidate Dr. Ben Carson to lead the agency.

## **BANKING & SECURITIES**

### **Lawmakers Urge AG To Keep Federal Pot Policy In Place**

A bipartisan group of senators on Thursday urged embattled Attorney General Jeff Sessions to maintain existing U.S. Department of Justice policy of backing off on marijuana enforcement in states that have legalized it.

### **Fed OKs Revised Morgan Stanley Capital Plan**

Morgan Stanley got a nod from the Federal Reserve Board on its revised capital plan, patched up after the regulator said last year during its so-called annual stress test reviews that the proposed plan had some deficiencies, according to a statement late Thursday.

## **ENERGY & ENVIRONMENTAL**

### **Senate Confirms Rick Perry As Energy Secretary**

The U.S. Department of Energy has its new secretary, as President Donald Trump's choice of former Texas Republican Gov. Rick Perry cleared the Senate on Thursday.

### **Greens, Health Orgs Oppose CPP Consolidation Request**

Environmental and health organizations on Thursday asked the D.C. Circuit to deny a request by power industry groups to combine legal challenges to the Clean Power Plan with their challenges to the Environmental Protection Agency's denial of administrative petitions to reconsider or delay the plan.

## **HEALTH & LIFE SCIENCES**

### **Biosimilar Rules Likely To Survive ACA Battle, Lawyers Say**

Amid the ongoing uncertainty over the future of the Affordable Care Act, its provisions for licensing biosimilar products will likely remain in place in light of concerns over escalating drug prices and the hard-fought battle leading to the regulations, lawyers said Thursday at a New Jersey symposium.

### **Calif. Panel Backpedals On Health Workers' Skipping Breaks**

A California appeals court made an about-face on its partial invalidation of a state Industrial Welfare Commission order allowing health care workers to waive a meal period on long shifts, saying Wednesday a revision to state law clarified the break-skipping rule was valid.

## **IP & TECHNOLOGY**

### **PTAB Chief Aims For 'Best Post-Grant Proceedings In World'**

The proceedings available for reviewing patents at the Patent Trial and Appeal Board are in position to be among the best in the world, the board's chief judge said Thursday, while acknowledging there remain areas where the board can improve.

## **MEDIA & ENTERTAINMENT**

Seward & Kissel  
Sheppard Mullin  
Sidley Austin  
Spencer Fane  
Stempel Bennett  
Stroock & Stroock  
Sullivan & Cromwell  
Venable LLP  
Walder Hayden  
Weil Gotshal  
White & Case  
WilmerHale  
Wilson Elser  
Zuckerman Spaeder

## **COMPANIES**

AARP Inc.  
AT&T Inc.  
Alpha Natural Resources, Inc.  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
Amgen Inc.  
Apple Inc.  
Bank of America Corporation  
Bayer CropScience Ltd.  
Bob Evans Farms, Inc.  
CRA International Inc.  
CTIA  
Citigroup Inc.  
Comcast Corporation  
Deutsche Bank AG  
Eli Lilly and Company  
Energy Transfer Partners, L.P.  
Environmental Defense Fund Inc.  
Equifax Inc.  
Ernst & Young  
Experian  
Goldman Sachs Group Inc.  
Google Inc.  
HSBC Holdings PLC  
Hospira Inc.  
Immunomedics, Inc.  
JPMorgan Chase & Co.  
Kudelski Group  
Lambda Legal Defense & Educational Fund  
McDonald's Corporation  
Medtronic Inc.  
Microsoft Corporation  
Morgan Stanley

## W.Va. Becomes Latest State To Challenge Sports Betting Ban

West Virginia became the latest of a growing number of states to consider the legalization of sports betting, as a bill introduced Wednesday calls a federal restriction prohibiting states from allowing the practice unconstitutional.

## TRANSPORTATION & INFRASTRUCTURE

### Prosecutors Drop GWB Scandal Complaint Against Christie

Prosecutors in Bergen County, New Jersey, said Thursday they have dismissed an activist's criminal complaint accusing Gov. Chris Christie of official misconduct over lane closures on the George Washington Bridge, saying a judge's probable cause finding did not change their previous decision not to pursue the matter.

### Feds Seek Prison For Ex-NJ AG In Airline Bribery Case

Federal prosecutors have said David Samson, a former New Jersey attorney general and ex-chairman of the Port Authority of New York and New Jersey, deserves jail time in a United Airlines Inc. bribery scheme, saying imprisonment is needed to punish his "gross abuse of power" and to deter corruption in New Jersey and beyond.

## MEDICAL MALPRACTICE

### Ky. House Narrowly Passes Bill To Create Med Mal Panels

In a close vote, the Kentucky House of Representatives on Wednesday advanced a bill that would require medical malpractice claims filed against doctors and hospitals to be first reviewed by expert advisory panels as state lawmakers hope it will create speedier resolutions and reduce frivolous lawsuits.

## REAL ESTATE

### NY Property Tax Abatement Studies Don't Tell The Whole Story

A pair of studies on the impact of bringing back New York's 421-a property tax abatement program that expired in early 2016 fail to address the broader economic impact to the city and state, lawyers say, which is a crucial consideration in the contentious debate to bring the program back.

### NJ Site Challengers Found To Lack Ownership, Standing

Challengers contesting a New Jersey city's site plan approval failed Thursday to convince a state appellate panel to revive their lawsuit, with the panel agreeing with a lower court that they lack ownership or a reliable interest in an adjacent patch of unused land in need of environmental cleanup.

## EMPLOYMENT

### Senate Tees Up Repeal Of Fair Pay And Safe Workplaces Rule

The Senate on Thursday passed a final procedural hurdle toward overturning the federal Fair Pay and Safe Workplaces rule, as part of a broader package aimed at undoing rulemakings under former President Barack Obama.

### EEOC Moves To Toss AARP Suit Over Wellness Program Regs

The U.S. Equal Employment Opportunity Commission asked a D.C. federal judge Wednesday to toss the AARP's challenge of a pair of agency rules letting employers raise insurance premiums for workers who don't take part in wellness programs, saying the groups lacks standing to challenge the regulations on its members' behalf.

### 3 Senate Dems Send Letters Urging Overtime Rule Support

NBCUniversal Inc.

NJ Transit Corp.

National Association of Attorneys General

National Association of Realtors

National Collegiate Athletic Association

Natural Resources Defense Council

Netflix Inc.

Office Depot Inc.

Oracle Corp.

Raycom Media Inc.

Sierra Club

Southern Poverty Law Center

St. Louis Cardinals

Staples Inc.

T-Mobile USA Inc.

The Bank of New York Mellon Corporation

The Cato Corporation

The Institute of Electrical and Electronics Engineers Inc.

The Medicines Company

TransUnion LLC

Twitter Inc.

UBS AG

Uber Technologies Inc.

United Continental Holdings Inc.

UnitedHealth Group Inc.

Verizon Communications

Wal-Mart Stores Inc.

Washington Post Co.

Wells Fargo & Co.

Yahoo! Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Indian Affairs

Bureau of Land Management

Centers for Medicare & Medicaid Services

Central Intelligence Agency

Congressional Budget Office

Consumer Financial Protection Bureau

Crow Nation

Equal Employment Opportunity Commission

Executive Office for Immigration Review

Executive Office of the President

Federal Acquisition Regulatory Council

Three Democratic senators sent letters to 14 companies on Thursday, asking whether they opposed any effort by the Trump administration to block or weaken rules finalized under President Obama aimed at expanding the number of workers eligible for overtime pay.

### **CORRECTED: House Votes To Disallow OSHA Recordkeeping Rule**

Employer obligations to record workplace mishaps and illnesses could soon be rolled back, as the House of Representatives passed a resolution Wednesday to invalidate an Obama-era Occupational Safety and Health Administration rule. *Correction: An earlier story misidentified the OSHA provisions targeted by the resolution. The error has been corrected.*

## **PRIVACY & CONSUMER PROTECTION**

### **CFPB Highlights Consumer Credit Reporting Improvements**

The Consumer Financial Protection Bureau on Thursday said that while problems remain in the consumer credit reporting industry, reforms and oversight the watchdog agency has put in place have begun to “move the needle.”

### **Schools, Cities Back Student In High Court Bathroom Suit**

A group of 80 school districts and administrators, more than 30 cities and over 100 transgender individuals sided with transgender student Gavin Grimm in urging the U.S. Supreme Court to decide that Title IX bars gender identity discrimination, saying that such a ruling would afford transgender individuals the respect given to other Americans.

## **GOVERNMENT CONTRACTS**

### **GAO Says Agencies Must Improve On Whistleblower Program**

The U.S. Government Accountability Office urged federal agencies Thursday to step up their implementation of a program expanding protections for whistleblowers employed by government contractors, highlighting several examples of agency watchdogs failing to pass along reports for review and of contractors being left unaware of their obligations.

### **DOD Taking Flexible Approach To Acquisitions Chief Split**

The U.S. Department of Defense is taking “full advantage” of lawmaker flexibility in the mandated split of the defense acquisition, technology and logistics undersecretary role, the Pentagon said in a report Wednesday that promised to find the best way to realign its purchasing efforts.

### **Navy To Evaluate Shipbuilding Contract Incentives, GAO Says**

The U.S. Department of Defense will conduct a review on the effectiveness of additional incentives in fixed-price incentive shipbuilding contracts, after a U.S. Government Accountability Office review released on Wednesday found that the agency covers a disproportionate share of cost overruns under the contracts.

## **TAX**

### **Mnuchin Says Tax Plan Keeps Mortgage Interest Deduction**

U.S. Treasury Secretary Steven Mnuchin on Wednesday said that President Donald Trump’s administration will preserve the mortgage interest deduction, a tax reform plan that aligns with the House Republicans’ blueprint.

### **NJ Tax Court Voids Pass-Through Investment Co. Rules**

A New Jersey Tax Court judge has voided a state regulation aimed at curbing tax evasion by pass-through companies, but denied a request by a car auction company contesting the regulation a quick win in its suit to recoup state corporate business taxes.

Federal Bureau of Investigation  
Federal Bureau of Prisons  
Federal Communications Commission  
Federal Housing Administration  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Government Accountability Office  
Indian Health Service  
Internal Revenue Service  
NAFTA  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Park Service  
New Jersey Attorney General's Office  
New Jersey Division of Taxation  
New Jersey Legislature  
Occupational Safety and Health Administration  
Port Authority of New York & New Jersey  
Seminole Tribe of Florida  
Standing Rock Sioux Tribe  
U.S. Army  
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U.S. Department of Health and Human Services  
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U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Navy  
U.S. Senate  
U.S. Supreme Court

## IMMIGRATION

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### **EU Lawmakers Push US Toward Full Visa Reciprocity**

American travelers should be forced to apply for visas before entering Europe this summer, according to a resolution passed by the European Parliament on Thursday, a measure intended to pressure the U.S. to rescind a policy of requiring visas from five member nations.

### **Police Say Funding Threats To Sanctuary Cities 'Problematic'**

Dozens of law enforcement leaders sent a letter to Congress on Wednesday expressing their concerns about the Trump administration's threats to eliminate funds from cities that fail to enforce federal immigration law, saying doing so would be "extremely problematic" and would not make communities safer or fix the "broken immigration system."

### **Atlanta Immigration Judges' Conduct Merits Probe, DOJ Told**

Charging that Atlanta Immigration Court judges have made prejudicial statements and have been hostile toward immigrants, the Southern Poverty Law Center and Emory University School of Law urged the U.S. Department of Justice on Thursday to conduct an investigation into the court.

### **Bipartisan Bill Would Cut H-1B, L-1 Visa Abuse, Reps. Say**

A bipartisan group of House representatives unveiled legislation Thursday to ostensibly close loopholes in two high-skilled nonimmigrant work visa programs, to cut down on fraud and abuse, protect American workers and visa holders, and require more transparency in the foreign worker recruitment process.

## NATIVE AMERICAN

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### **Analysis**

#### **4 Top Tribal Concerns As Zinke Takes Charge Of DOI**

Former Montana Rep. Ryan Zinke brings a short yet solid record working with Indian Country to his role as the newly confirmed secretary of the interior, but attorneys for Native American tribes will be watching how the Republican tackles federal land management, budget restrictions, energy projects and other issues as the Trump administration moves forward. Here are four key areas to keep an eye on as Zinke takes the reins at the DOI.

#### **SD Senator Floats Bill To Audit Indian Health Service**

U.S. Sen. Mike Rounds, R-S.D., has proposed a bill to require a thorough and independent audit of the Indian Health Service, saying the care provided by the U.S. Department of Health and Human Services agency has "reached crisis level."

#### **Seminole Say Fla. Gambling Bills Cut Into \$3B Compact**

The Seminole Tribe of Florida has expressed its opposition to two gambling bills currently pending in the state Legislature that would affect the \$3 billion compact negotiated with the state and said they might violate federal law.

## TELECOMMUNICATIONS

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### **Trump Nixes Rosenworcel Nomination To Return To FCC**

The Trump administration has withdrawn former President Barack Obama's final nominee to the Federal Communications Commission, shooting down Jessica Rosenworcel's chance of serving another five-year term with the agency.

### **Telecom Leaders Weigh In On FCC's \$19.6B Spectrum Auction**

Telecom industry players at a Senate subcommittee hearing on Thursday voiced optimism and concern over the Federal Communications Commission's recent wireless spectrum auction that raked in more than \$19.6 billion and set aside 84



MHz of spectrum for broadband use.

### **FCC's O'Rielly Wants Action On States Diverting 911 Fees**

Federal Communications Commission member Michael O'Rielly penned a blog post Wednesday urging regulators to do something about states using fees collected from service providers for 911 systems on unrelated programs.

### **FCC's Pai Plans Vote To Let Carriers Block Certain Robocalls**

Federal Communications Commission Chairman Ajit Pai announced Thursday that the commission will vote on a proposal that would give providers more leeway to block spoofed robocalls at its upcoming meeting, more than seven months after the agency called for help to address its number one source of consumer complaints.

## **PEOPLE**

### **Christie's Chief Counsel Departs To Start Firm With Senator**

New Jersey Gov. Chris Christie's chief counsel, Thomas P. Scrivo, has left his post after 18 lively months, to return to private practice in a new venture with Republican state senator and fellow lawyer Kevin O'Toole and to chair the state Economic Development Authority, the governor's office said Thursday.

### **Longest-Serving St. Louis Mayor Joins Spencer Fane**

Francis G. Slay, the current and longest-serving mayor of St. Louis, whose tenure oversaw a development boom including the construction of Busch Stadium and a contentious increase in the city's minimum wage, will be joining Spencer Fane LLP at the end of his term.

## **EXPERT ANALYSIS**

### **Making America Manufacture Drugs Again**

While there may be economic or regulatory barriers that continue to favor manufacturing abroad, there is at least one legal barrier the new administration can address that currently places U.S. generic pharmaceutical manufacturing at a disadvantage, according to Frederick Rein and Aviv Zalcenstein of Goodwin Procter LLP.

### **Re-Evaluating The Clean Water Rule: A Long Road Ahead**

Notwithstanding President Donald Trump's announcement Tuesday directing the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to issue a proposed rulemaking to rescind or revise their joint 2015 Clean Water Rule, the current uncertainty over the Clean Water Act's scope is likely to remain for the foreseeable future, say Joel Beauvais and Claudia O'Brien of Latham & Watkins LLP.

### **Consider Political Risk Insurance Coverage In 2017**

While many risk managers and other insurance professionals may associate political risk insurance with third-world despots and banana republics, for many companies political risk insurance may become increasingly necessary to navigate risk in the current domestic political climate, says Micah Skidmore of Haynes and Boone LLP.

### **FDA Guidance On Medical Device Reporting: Key Takeaways**

The U.S. Food and Drug Administration recently issued a final guidance on medical device reporting for manufacturers. The guidance answers many key questions, and should ease the reporting burden on some entities, particularly contract production facilities, say attorneys from Haynes and Boone LLP.

### **Addressing V2V Data Privacy Concerns In New NHTSA Rules**

If adopted, the National Highway Traffic Safety Administration's proposed rules concerning vehicle-to-vehicle communications would enable cars to generate and receive an enormous amount of data from and about every new car on the road.

Attorneys with Eversheds Sutherland LLP survey some of the proposed measures and discuss a major unresolved privacy question introduced by V2V communications.

#### Opinion

### Returning Balance To The NLRB

Labor practitioners have come to expect changes when control of the National Labor Relations Board changes hands. As long as the pendulum swings within the limitations established in the National Labor Relations Act, the system remains workable. By any objective measure, following the Obama administration's drastic and one-sided policy changes, it is clear the pendulum needs to swing back, says Kurt Larkin of Hunton & Williams LLP.

## LEGAL INDUSTRY

### Law Firms Emerge As Easy Targets For Ransomware Attacks

Ransomware attacks are an expanding plague in the corporate arena, and data-rich law firms are an attractive target for cybercriminals in search of sensitive information that will garner them big payouts, a digital forensics specialist said during a cybersecurity panel discussion on Thursday.

### Banks Offered Millions As Dewey Crumbled, Jury Hears

Jurors in the retrial of two former top executives of Dewey & LeBoeuf LLP on Thursday heard how banks including JPMorgan Chase & Co. were still willing to shower the failing law firm with millions of dollars in credit in the failing law firm's final months, even as partners were abandoning Dewey in droves.

### Law360's Weekly Verdict: Legal Lions & Lambs

Gibson Dunn and Ropes & Gray topped this week's legal lions list after securing a Federal Circuit decision finding patents Apple Inc. was ordered to pay \$533 million for infringing are invalid, while three Florida attorneys ended up legal lambs after their closing arguments prompted a judge to grant R.J. Reynolds a new trial in a case that originally concluded with a \$23.6 billion verdict.

### Dentons Expands Into Netherlands With 70 Atty Firm Tie-Up

Dentons is once again expanding its European presence as the firm announced on Thursday it will move into the Netherlands for the first time through a combination with Boekel, an Amsterdam-based full-service law firm with approximately 70 attorneys.

### Judge Invites Young Attys To Argue In Comcast Patent Suit

U.S. District Judge William Alsup on Wednesday ordered counsel in a Comcast patent infringement suit to make way for less experienced attorneys to argue in the case.

### Chadbourne Attys Seek Opt-In Period In \$100M Pay Bias Suit

The female partners bringing a proposed \$100 million discrimination class action against Chadbourne & Parke LLP over alleged gender disparity in pay and bonuses moved Thursday for conditional certification of the suit as an Equal Pay Act collective action in order to issue notice to potential class members.

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Dorsey & Whitney  
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Fletcher Heald  
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Bob Evans Farms, Inc.  
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Eli Lilly and Company  
Energy Transfer Partners, L.P.  
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Equifax Inc.  
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Raycom Media Inc.  
Sierra Club  
Southern Poverty Law Center  
St. Louis Cardinals  
Staples Inc.  
T-Mobile USA Inc.  
The Bank of New York Mellon Corporation  
The Cato Corporation

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The Medicines Company  
TransUnion LLC  
Twitter Inc.  
UBS AG  
Uber Technologies Inc.  
United Continental Holdings Inc.  
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#### GOVERNMENT AGENCIES

Federal Communications Commission  
U.S. Department of Justice  
U.S. Supreme Court  
U.S. Department of Defense  
Food and Drug Administration  
Government Accountability Office  
U.S. Department of Health and Human Services  
Central Intelligence Agency  
Federal Acquisition Regulatory Council  
Port Authority of New York & New Jersey  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Navy  
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Bureau of Land Management  
Centers for Medicare & Medicaid Services  
Congressional Budget Office  
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Crow Nation  
Equal Employment Opportunity Commission  
Executive Office for Immigration Review  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Bureau of Prisons  
Federal Housing Administration  
Federal Reserve System  
Federal Trade Commission  
Indian Health Service  
Internal Revenue Service  
NAFTA  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Park Service  
New Jersey Attorney General's Office  
New Jersey Division of Taxation  
New Jersey Legislature  
Occupational Safety and Health Administration

Seminole Tribe of Florida  
Standing Rock Sioux Tribe  
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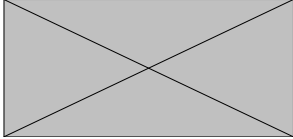
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 3/4/2019 9:38:54 AM  
**Subject:** Chief Justice Roberts Already Wielding Swing Vote

## EXTERNAL EMAIL



PUBLIC POLICY.

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**Monday, March 4, 2019**

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## TOP NEWS

### Analysis

#### Chief Justice Roberts Already Wielding Swing Vote

Following the retirement of Justice Anthony Kennedy and confirmation of his replacement, Justice Brett Kavanaugh, to the U.S. Supreme Court, many predicted Chief Justice John Roberts would become the swing vote on the high court — yet few knew how quickly.

[Read full article »](#)

#### Senate Slides Toward Rule Change On Judicial Confirmations

The U.S. Senate appears poised to substantially cut down on the amount of time it takes for judicial and other nominees to win confirmation — whether Democrats sign on or not.

[Read full article »](#)

#### Alito, Kagan To Testify At House High Court Budget Hearing

U.S. Supreme Court Justices Samuel Alito and Elena Kagan will testify before a House appropriations subcommittee about the high court's budget needs next week, a rare public congressional appearance by two of the top members of the judicial branch.

[Read full article »](#)

### Feature

#### Will The FDA Bite On CBD Foods?

As state and municipal health departments are cracking down on sales of food and beverages containing nonpsychoactive cannabidiol, or CBD, lawmakers are looking to the U.S. Food and Drug Administration to see how it intends, if at all, to legalize CBD foods.

[Read full article »](#)

### Analysis

#### Backlash Has Some Employers Rethinking Forced Arbitration

The U.S. Supreme Court's blockbuster Epic Systems decision gave businesses a green light to make employees sign away their right to bring class actions, but new legislation aimed at giving workers their day in court underscores a backlash against mandatory arbitration that's causing employers to think twice, experts say.

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Dewey & LeBoeuf  
Dickinson Wright  
Epstein Becker Green  
Gibson Dunn  
Greenberg Traurig  
Gupta Wessler  
Harris Bricken  
Herrick Feinstein  
Jones Day  
Katten Muchin  
King & Spalding

CLV001147

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## BANKING & SECURITIES

### Go Slow And Steady On GSE Reform, Groups Tell FHFA Head

The National Association of Realtors and more than two dozen other mortgage banking, housing industry and consumer advocacy groups urged the acting head of the Federal Housing Finance Agency on Friday not to rush into reforming Fannie Mae and Freddie Mac and risk unintentionally disrupting the secondary mortgage market.

[Read full article »](#)

## ENERGY & ENVIRONMENTAL

### Kids Score Support In 9th Circ. Climate Change Case Appeal

Support for young people challenging the federal government's climate change policies came from all sides Friday, with public health experts and a libertarian think tank chiming in Friday to urge the Ninth Circuit to let the litigation run its course in Oregon federal court.

[Read full article »](#)

### Enviros Say Texas Highway Project Threatens Salamanders

Green groups threatened to sue the U.S. Fish and Wildlife Service and the Texas Department of Transportation over their approval of an Austin, Texas, highway construction project that they say threatens federally protected salamander species.

[Read full article »](#)

## IP & TECHNOLOGY

### USPTO Texas Leader Says Agency Striving For Patent Clarity

The new guidance for patent examiners released by the U.S. Patent and Trademark Office in January should help clarify what constitutes eligible subject matter in order to get a patent, Texas Regional Director Hope Shimabuku said Friday at a speech in Dallas.

[Read full article »](#)

## MEDIA & ENTERTAINMENT

### NY Poised To Join Neighbors In Sports Betting, Panelists Say

With neighboring states New Jersey and Pennsylvania pulling in millions since the U.S. Supreme Court struck down the ban on sports betting, New York is looking to join in, with a bill pending in the state legislature and regulators working on rules, a group of sports law professionals and state congressmen said at a panel Friday at the Benjamin N. Cardozo School of Law.

[Read full article »](#)

## EMPLOYMENT

### Ark.'s Case For Benefits Manager Law Is Flawed, Justices Told

The pharmacy benefit management industry has asked the U.S. Supreme Court to pass on Arkansas' attempt to revive a state law regulating PBMs, claiming the petition had too many flaws to let the justices truly focus on whether the law was preempted by

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## COMPANIES

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Anthem Inc.  
Bausch & Lomb  
Beachbody LLC  
CBS Corporation  
Cato Institute  
Center for Biological Diversity

the Employee Retirement Income Security Act.

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## COMPETITION

### La. Appraisers Board Can't Challenge FTC Case Yet: 5th Circ.

The Louisiana Real Estate Appraisers Board wasn't able to secure a Fifth Circuit review of a Federal Trade Commission action alleging the board's fee rules cut into competition, as the appellate panel said the case needs to be fully wrapped up before it can take a look.

[Read full article »](#)

### Uber, Boston Taxi Cos. Duel Over Unfair Competition Suits

Uber Technologies Inc. and hundreds of Boston-area taxi companies duked it out Thursday over whether consolidated litigation accusing the ride-hailing giant of flouting local taxi rules and unfairly pricing its services to hurt the competition should be allowed to proceed in Massachusetts federal court.

[Read full article »](#)

## CYBERSECURITY & PRIVACY

### Analysis

#### Paying Out Calif.'s Proposed 'Data Dividend' Won't Be Easy

The recent proposal to compensate California residents for the use of their data is another sign of consumers' growing awareness of how tech giants monetize users' digital footprints, but logistical and philosophical concerns make it little more than an intriguing idea for now, experts say.

[Read full article »](#)

## MEDICAL MALPRACTICE

### Analysis

#### Philly Or Not, Victims Face Long Odds In Pa. Med Mal Cases

A proposal to loosen Pennsylvania's rules governing jurisdiction in medical malpractice cases has sounded alarms about a possible flood of new cases in purportedly "plaintiff-friendly" Philadelphia, but statistics show that victims of allegedly negligent care face an uphill battle no matter where they file suit.

[Read full article »](#)

## PRODUCT LIABILITY

### Mass. High Court Won't Tweak Law For Asbestos Claims

Massachusetts' highest court on Friday declined to allow victims of asbestos exposure to sidestep a statute of repose that bars many types of construction-related claims after six years, while noting that the ruling will have the "regrettable effect" of foreclosing on a wide swath of potential asbestos claims throughout the state.

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## GOVERNMENT CONTRACTS

### DOJ Atty Warns FCA Targets On Discovery Tactics

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Citigroup Inc.  
Cognizant Technology Solutions Corp.  
Comcast Corp.  
Consumer Federation of America  
DaVita Inc.  
Electronic Frontier Foundation  
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Federal Bar Association  
Freddie Mac  
Geisinger Health System  
Gilead Sciences Inc.  
Google Inc.  
Huawei Technologies  
International Finance Corp.  
Intersections, Inc.  
KPMG International  
Kinder Morgan Inc.  
LG&E and KU Energy LLC  
LinkedIn Corp.  
Madison Square Garden, Inc.  
Major League Baseball Inc.  
MetLife Inc.  
Microsoft Corporation  
Monsanto Co.  
Morgan Stanley  
Mortgage Bankers Association  
Mylan NV  
National Association of Home Builders  
National Association of Realtors  
New England Patriots  
New York Times Co.  
Novartis AG  
Pharmaceutical Care Management Association  
Planned Parenthood Federation  
Public Company Accounting Oversight Board  
Rivers Casino  
Robert Half International Inc.  
SAS Institute  
Salix Pharmaceuticals, Ltd.  
Sierra Club  
Spotify Technology SA  
State Bar of Texas  
T-Mobile USA Inc.  
Twitter Inc.

The U.S. Department of Justice attorney spearheading government pushback on unattractive whistleblower suits warned targets of False Claims Act litigation on Friday against pursuing immense discovery to make litigation seem onerous, saying the tactic won't make the DOJ toss cases.

[Read full article »](#)

## INTERNATIONAL TRADE

### Trump Sketches Out Sprawling 2019 Trade Agenda

The Trump administration laid out plans for its 2019 trade policy late Friday, vowing to hold China's feet to the fire during negotiations while also urging Congress to pass his pending rewrite of the North American Free Trade Agreement and drawing a line in the sand on reforming the World Trade Organization.

[Read full article »](#)

### US Puts UK Food Barriers In Trade Deal Crosshairs

The Trump administration sketched out its vision for a trade agreement with the U.K. late Thursday, focusing much of its attention on gaining new access for U.S. farmers who have long complained of systemic trade barriers to European markets.

[Read full article »](#)

## TAX

### IRS Has Power To Impose Tax Preparer ID Fees, DC Circ. Says

The Internal Revenue Service has the authority to charge tax-return preparers a fee to obtain and renew preparer tax identification numbers, the D.C. Circuit said Friday, vacating a district court's ruling in favor of preparers who had sued the IRS.

[Read full article »](#)

### EU Finance Ministers Won't 'Force' Digital Tax, Official Says

European Union finance ministers are likely to recognize at their upcoming meeting that they can't "force" even a lighter digital services tax and will "proactively" support an international effort on taxing the digital economy, an EU official said Friday.

[Read full article »](#)

## IMMIGRATION

### 6th Circ. Won't Revive Immigrant's Removal Notice Challenge

The Sixth Circuit on Thursday denied a Mexican immigrant's petition for review of the Board of Immigration Appeals' decision not to allow him to reopen an in absentia deportation order, finding that the failure to notify him regarding the date, time and place of his court hearing did not necessarily render the proceedings void.

[Read full article »](#)

### Immigration Bill Roundup: Visas For Venezuelans, Entry Bars

Members of the 116th Congress have introduced bills that would bar entry into the United States for those associated with criminal gangs and that would temporarily allow Venezuelans to reside in the United States.

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### Asylum-Seekers Can Pursue Suit Over DHS Detention Policy

A group of asylum-seekers may move forward with claims that the U.S. Department of

[Uber Technologies Inc.](#)

[United Capital Financial Advisers LLC](#)

[UnitedHealth Group Inc.](#)

[Universal Service Administrative Co.](#)

[Valeant Pharmaceuticals International](#)

[Verizon Communications Inc.](#)

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[California Department of Public Health](#)

[Commodity Futures Trading Commission](#)

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[U.S. Immigration and Customs](#)

CLV001150

Homeland Security has a de facto policy to categorically deny parole to asylum-seekers in some of its offices to deter others from seeking relief in the U.S., a D.C. federal judge ruled.

[Read full article »](#)

## TELECOMMUNICATIONS

### Analysis

#### Net Neutrality Bills Don't Spell Compromise Any Time Soon

A trio of new, GOP-introduced bills designed to offer web users some measure of net neutrality protection carry an air of bipartisanship, but experts on both sides of the aisle warn that the climate for compromise on new internet rules is still not ripe.

[Read full article »](#)

#### China's Dominance In 5G Seen As Top Global Threat At CPAC

China's dominance in developing next-generation mobile technologies is a top global threat that can only be overcome by strengthening ally relationships and bolstering the private sector, attendees of the Conservative Political Action Conference heard Friday.

[Read full article »](#)

#### Local Officials Back Bill To Repeal FCC's 5G Rule

Dozens of local officials threw their support behind a bill that would roll back a Federal Communications Commission rule limiting their control over the deployment of infrastructure for the next-generation network, or 5G, saying the legislation would restore authority to its "rightful position" in the hands of local jurisdictions.

[Read full article »](#)

#### Lifeline Program Too Hard On Those It Tries To Help, Orgs Say

Public interest and advocacy groups are urging the Federal Communications Commission to consider a less stringent set of eligibility requirements for the Lifeline phone and internet subsidy program, saying that the current bar is set too high.

[Read full article »](#)

## EXPERT ANALYSIS

#### Future Data Privacy Penalties May Include Prison Time

This year, Sen. Ron Wyden, D-Ore., is likely to reintroduce legislation that calls for prison sentences for executives whose companies mishandle consumers' data. Using the threat of prison time to change corporate behavior is not new, but Wyden's proposal is somewhat unusual, say Adam Saltzman and Heather Alleva of Buchanan Ingersoll & Rooney PC.

[Read full article »](#)

#### Hoping For High Court Clarity On CWA Jurisdictional Issues

In *County of Maui v. Hawaii Wildlife Fund*, the U.S. Supreme Court will consider whether the Clean Water Act regulates pollutants that enter "navigable waters" via a nonpoint source, such as groundwater. In theory, the decision should turn on the text and legislative history of the statute, say attorneys with Womble Bond Dickinson.

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### Rebuttal

#### Visible Diversity Is A Sign Of Organizational Health

A recent Law360 guest article cautioned against the hazards that can stem from

### Enforcement

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[U.S. Senate](#)

[U.S. Supreme Court](#)

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pursuing "optimal" diversity, but overlooks the value of paying attention to visible diversity, says Matt Lykken of Potomac Law Group PLLC.

[Read full article »](#)

### **Simple Secrets For Writing A Killer Brief**

These days, the legal profession offers meager opportunity for oral argument, so we need to focus on being better, brighter, tighter writers. And the key to writing a better brief is grabbing your judge's attention with a persuasive, well-crafted story, says Daniel Karon of Karon LLC.

[Read full article »](#)

## **LEGAL INDUSTRY**

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### **The 1 Thing Millennial Lawyers Say They Can't Stand**

As law firms seek to attract and retain the ever-increasing number of millennial attorneys entering the workforce, a panel of young attorneys at the ABA TechShow Friday made clear there is one thing they can't stand from an employer: a lack of transparency.

[Read full article »](#)

#### **Feature**

### **How Firms Can Avoid Conflicts Involving Corporate Affiliates**

A recent Federal Circuit decision disqualifying Katten Muchin Rosenman LLP in a patent case due to conflicts involving affiliates of a client shows how firms can get tripped up by tangled corporate relationships. Here are some suggestions from experts on how to mitigate the risks.

[Read full article »](#)

### **Trump Taps Obama Nominee, 2 More For Bench In Pa., Texas**

President Donald Trump announced several nominees for a slate of federal judicial positions Friday, including one for a judgeship in the Western District of Pennsylvania who was previously tapped for the post by Trump's Democratic predecessor Barack Obama.

[Read full article »](#)

### **Comcast Hires Davis Polk Managing Partner As Next GC**

The managing partner of Davis Polk & Wardwell LLP is joining Comcast Corp. as a vice president and general counsel, the company announced Friday.

[Read full article »](#)

### **Networking Key To Getting In-House Gigs, Female Attys Say**

Female in-house counsel speaking at the UCLA School of Law's Women LEAD summit on Friday agreed that networking is key to landing a position in a corporate legal department, emphasizing the importance of cultivating a professional brand based on genuine skills and interests.

[Read full article »](#)

### **Ex-BigLaw Atty Gets 1.5 To 4.5 Years For Scamming Church**

John Shasanmi, a former lawyer at Dewey & LeBoeuf LLP and Pepper Hamilton LLP, was sentenced to 1½ to 4½ years in prison by a New York state judge Friday for stealing \$600,000 from a church in a real estate transaction.

[Read full article »](#)

### **Carlson Lynch ADA Database Not A Trade Secret, Judge Says**

Pittsburgh firm Carlson Lynch's database of Americans with Disabilities Act investigative material is not a trade secret and must be shared by all the partners who developed it — even one who was kicked out of the firm, a Pennsylvania state court judge ruled, according to a transcript obtained Friday.

[Read full article »](#)

### **Calif. Judges Slam Atty For Gender Remarks: Not OK, Period**

A panel of California appellate judges on Thursday called out an attorney's seemingly misogynistic and homophobic remarks from a court filing and said it had referred him to the state bar for possible disciplinary proceedings related to that incident and other alleged misconduct.

[Read full article »](#)

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

A survey found the top practice management concern for law firms is recruiting qualified talent across job categories, and the U.S. Supreme Court held that international organizations do not enjoy broader immunity than foreign governments do to U.S. lawsuits. These are some of the stories in legal news you may have missed in the past week.

[Read full article »](#)

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

[Read full article »](#)

#### **Podcast**

### **Law360's Pro Say: 'Appointed For Life, Not For Eternity'**

An existential question: Can you fix the wage gap from beyond the grave? The U.S. Supreme Court said no this week, nixing a ruling in a gender bias case because the Ninth Circuit judge who wrote it passed away before it was published.

[Read full article »](#)

#### **Opinion**

### **Even Vile Defendants Deserve Good Representation**

It's a sad day when a Harvard professor must defend himself for representing Hollywood movie mogul Harvey Weinstein. Criminal justice is not a popularity contest; at the foundation of our democracy is every defendant's constitutional right to vigorous legal representation, says Lara Yaretsian, a Los Angeles-based criminal defense attorney.

[Read full article »](#)

#### **JOBS**

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Bradley Arant  
Buchalter PC  
Buchanan Ingersoll  
Caplin & Drysdale  
Carlson Lynch  
Cohen & Grigsby  
Colucci Colucci  
Constantine Cannon  
Cooley  
Covington & Burling  
DLA Piper  
Davis Polk  
Dewey & LeBoeuf  
Dickinson Wright  
Epstein Becker Green  
Gibson Dunn  
Greenberg Traurig  
Gupta Wessler  
Harris Bricken  
Herrick Feinstein  
Jones Day  
Katten Muchin  
King & Spalding  
Kirkland & Ellis  
Kline & Specter  
Kramer Levin  
Latham & Watkins  
Marshall Dennehey  
Mayer Brown  
McDermott Will  
McKool Smith  
Michael Best  
Modus Law  
Motley Rice  
Murphy Pearson  
O'Melveny & Myers  
Paul Hastings  
Pepper Hamilton  
Potomac Law Group  
Prince Lobel  
Richards & Richards LLP  
Rieders Travis  
Schwegman Lundberg  
Seyfarth Shaw  
Shapiro Haber  
Skadden  
Troutman Sanders

Venable LLP  
Volkov Law Group LLC  
White & Case  
White and Williams  
Wigdor LLP  
WilmerHale  
Winston & Strawn  
Womble Bond Dickinson

## COMPANIES

Google Inc.  
Facebook  
American Bar Association  
American Enterprise Institute  
Organisation for Economic Co-operation and Development  
21st Century Fox Inc.  
AT&T Inc.  
Amazon.com Inc.  
American Civil Liberties Union  
Anheuser-Busch Inbev SA/NV  
Anthem Inc.  
Bausch & Lomb  
Beachbody LLC  
CBS Corporation  
Cato Institute  
Center for Biological Diversity  
Centerra Group LLC  
Citigroup Inc.  
Cognizant Technology Solutions Corp.  
Comcast Corp.  
Consumer Federation of America  
DaVita Inc.  
Electronic Frontier Foundation  
Epic Games, Inc.  
Epic Systems Corp.  
Fannie Mae  
Federal Bar Association  
Freddie Mac  
Geisinger Health System  
Gilead Sciences Inc.  
Huawei Technologies  
International Finance Corp.  
Intersections, Inc.  
KPMG International  
Kinder Morgan Inc.  
LG&E and KU Energy LLC  
LinkedIn Corp.  
Madison Square Garden, Inc.  
Major League Baseball Inc.  
MetLife Inc.  
Microsoft Corporation

Monsanto Co.  
Morgan Stanley  
Mortgage Bankers Association  
Mylan NV  
National Association of Home Builders  
National Association of Realtors  
New England Patriots  
New York Times Co.  
Novartis AG  
Pharmaceutical Care Management Association  
Planned Parenthood Federation  
Public Company Accounting Oversight Board  
Rivers Casino  
Robert Half International Inc.  
SAS Institute  
Salix Pharmaceuticals, Ltd.  
Sierra Club  
Spotify Technology SA  
State Bar of Texas  
T-Mobile USA Inc.  
Twitter Inc.  
Uber Technologies Inc.  
United Capital Financial Advisers LLC  
UnitedHealth Group Inc.  
Universal Service Administrative Co.  
Valeant Pharmaceuticals International  
Verizon Communications Inc.  
Warner Bros.  
Washington Post Co.  
ZTE Corp.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Trade Commission  
European Union  
Federal Communications Commission  
Internal Revenue Service  
U.S. House Committee on Energy and Commerce  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
World Trade Organization  
Bureau of Citizenship and Immigration Services  
California Department of Public Health  
Commodity Futures Trading Commission  
Executive Office of the President  
Federal Housing Finance Agency  
Fish and Wildlife Service  
Food and Drug Administration  
Massachusetts Supreme Judicial Court  
NAFTA

New York State Gaming Commission  
Office of the U.S. Trade Representative  
Pennsylvania Supreme Court  
Securities and Exchange Commission  
Social Security Administration  
Tennessee Valley Authority  
Texas Department of Transportation  
U.S. Army  
U.S. Attorney's Office  
U.S. Coast Guard  
U.S. Department of Homeland Security  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
U.S. Postal Service  
World Bank Group

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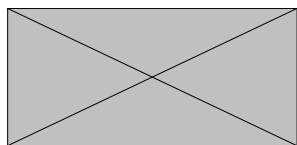
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 6/29/2017 8:10:39 AM  
**Subject:** [Marketing Mail] The Cases That Got The Justices Talking



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Thursday, June 29, 2017

## SUPREME COURT REVIEW

### The Cases That Got The Justices Talking

The justices' level of engagement at oral argument can provide a crucial window into their thinking on an issue, but interpreting what that might mean for how they'll rule is an elusive art. Here, Law360 looks at the sessions in which each justice engaged the most. [Read more »](#)

### The Most Talkative Justice Of The High Court Term

Since the death of Justice Antonin Scalia last year, a new U.S. Supreme Court justice has emerged as the most talkative at oral arguments — and the titleholder should come as no surprise to court watchers. [Read more »](#)

### The 10 Funniest Moments Of The Supreme Court Term

Neal Katyal seemingly tried to educate Justice Samuel Alito about a well-known Latin phrase, Justice Sonia Sotomayor prayed aloud that she wouldn't be assigned a mind-numbing opinion, and Justice Elena Kagan needled a lawyer who confused her with another justice. Here, Law360 wraps up the top moments of legal levity from the latest high court term. [Read more »](#)

## TOP NEWS

### DC Court Picks Face Senate Panel Ahead Of ABA Report

Two of President Donald Trump's picks to fill vacant seats on the D.C. District Court faced a Senate panel Wednesday amid Democrats' concern that the American Bar Association had not finished its evaluation of the pair. [Read more »](#)

### ACA Watch: What BigLaw Lobbyists Think Happens Next

With Affordable Care Act repeal efforts in limbo, Law360 on Wednesday chatted up BigLaw lobbyists for insights on the latest horse-trading and a "big surprise" promised by President Donald Trump. Here's what they're hearing. [Read more »](#)

### All Banks Pass Fed's Stress Tests, But Cap One Gets Do-Over

The Federal Reserve on Wednesday said that all banks included in its annual stress tests would be allowed to engage in planned share buybacks and dividend payments after exceeding mandated capital requirements, but Capital One Financial Corp. needed to resubmit its capital plans to fix some shortcomings. [Read more »](#)

### White House Opens Sweeping Trade Deal Audit

[Listen to our new podcast here](#)

#### LAW FIRMS

Alston & Bird  
Andrews Kurth Kenyon  
Arnold & Porter Kaye Scholer  
Baker Botts  
Beasley Allen  
Becker & Poliakoff  
Brann & Isaacson  
Cleary Gottlieb  
DLA Piper  
Dechert  
Dentons  
Ferraiuoli LLC  
Foley & Lardner  
Genova Burns  
Goldberg Kohn  
Goodwin  
Gupta Wessler  
Harris Wiltshire  
Hogan Lovells  
Honigman Miller  
Hooper Lundy  
Hueston Hennigan  
Hughes Hubbard  
Jenner & Block  
Jones Day  
K&L Gates  
King & Spalding  
Kirkland & Ellis

CLV001158

The Trump administration formally launched its wide-ranging probe of U.S. trade agreements Wednesday, following through on an April executive order aimed at identifying and addressing “violations and abuses” of those deals. [Read more »](#)

#### Analysis

### EPA's Less-Stringent Chemical Rule Likely To Spark Suits

The EPA's newly finalized rule for evaluating a chemical's risk to health and the environment retreats from a version proposed by the Obama administration by not requiring the agency to evaluate all of a substance's uses before making a determination, a move that could spur legal challenges from environmental groups. [Read more »](#)

### House Passes Tort Reform Bill To Cap Med Mal Damages

In a razor-thin vote, the U.S. House of Representatives on Wednesday approved a tort reform bill that would impose a nationwide cap on noneconomic damages in medical malpractice cases and would institute several other measures purportedly designed to lower health care costs. [Read more »](#)

### Mass. Revokes Sales Tax Directive Targeting Online Vendors

The Massachusetts Department of Revenue on Wednesday revoked its controversial final directive requiring out-of-state online retailers to collect sales or use tax and said it may propose new, but similar, regulations that the public can comment on before the state finalizes them. [Read more »](#)

### Sens. Grill Trump's Pick To Head DOJ Environmental Division

President Donald Trump's pick to be the top environmental law official at the U.S. Department of Justice faced skeptical Democrats on a Senate panel on Wednesday, with Kirkland & Ellis LLP partner Jeffrey Bossert Clark fielding questions about his private practice and views on climate change. [Read more »](#)

## BANKING & SECURITIES

### SEC Whistleblower Program Is Business As Usual, Chief Says

The head of the U.S. Securities and Exchange Commission's Whistleblower Office said Wednesday that her program is proceeding full steam ahead after the change in administration, while admonishing companies to ensure they don't retaliate against or impede employees who raise the alarm about possible securities violations. [Read more »](#)

### US Says Alien Tort Law Doesn't Apply To Bank Transfers

The U.S. government on Tuesday said in a brief that private plaintiffs have the authority to bring cases against corporations under the Alien Tort Statute, but that a case pending before the U.S. Supreme Court against a Jordanian bank may need to be dismissed because of a tangential connection to the United States. [Read more »](#)

### House Spending Bill Takes Aim At The CFPB, Volcker Rule

A spending bill introduced in the U.S. House of Representatives Wednesday would significantly weaken the Consumer Financial Protection Bureau and repeal the Volcker Rule among other Republican policy objectives. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### Calif. High Court Won't Review Cap-And-Trade Program

California's Supreme Court on Wednesday refused to undo an appeals court's approval of the Golden State's greenhouse gas cap-and-trade program, with its auction of emissions allowances opponents had challenged as essentially just an unauthorized tax. [Read more »](#)

### DC Circ. Ends Challenge To Interim Gas Storage Safety Rule

The D.C. Circuit on Tuesday dismissed a challenge to an interim natural gas storage

Kramer Levin  
Lane Powell  
Latham & Watkins  
Lawyers' Committee for Civil Rights  
Markun Zusman  
Mayer Brown  
McDermott Will  
Milbank Tweed  
Morgan Lewis  
Morrison & Foerster  
Motley Rice  
Munger Tolles  
Nelson Mullins  
Nielsen Merksamer  
O'Melveny & Myers  
O'Neill & Borges  
Orrick Herrington  
Paul Hastings  
Paul Weiss  
Perkins Coie  
Polsinelli  
Proskauer Rose  
Quinn Emanuel  
Robbins Russell  
Ropes & Gray  
Sayles Werbner  
Shute Mihaly  
Sidley Austin  
Simpson Thacher  
Skadden  
Steptoe & Johnson LLP  
Sullivan & Cromwell  
Susman Godfrey  
Trucker Huss  
Venable LLP  
Weil Gotshal  
White & Case  
Womble Carlyle  
Zuckerman Spaeder

**COMPANIES**  
A.P. Moller-Maersk  
ATS Corporation  
Aetna Inc.  
Alliance Defending Freedom  
American Bar Association  
American Civil Liberties Union  
American Express Company  
American Federation of Television and Radio Artists  
American Immigration Council



safety rule enacted in the wake of the 2015 Aliso Canyon leak, deciding that because the American Gas Association and others had asked the issuing agency to reconsider the rule, it couldn't also be challenged judicially. [Read more »](#)

## 2nd Circ. Backs Conn. Clean Energy Solicitation Program

The Second Circuit on Wednesday upheld Connecticut's program for soliciting renewable energy projects and its renewable portfolio standard against a solar company's challenge, deciding that the state's regulatory efforts did not infringe on the powers of the federal government or improperly discriminate against out-of-state facilities. [Read more »](#)

## Feds Want CRA Challenge Over Alaska Hunting Rules Tossed

The federal government wants an Alaska district judge to toss environmentalists' Congressional Review Act challenge over a ditched prohibition on certain Alaskan wildlife hunting practices including shooting wolves and bears from aircraft, alleging the group hasn't stated a legitimate claim. [Read more »](#)

## HEALTH & LIFE SCIENCES

### Analysis

## The Hydra Of Abortion Law: 1 Year Into Whole Woman's Health

In the year since the U.S. Supreme Court handed abortion rights advocates a major legal victory in Whole Woman's Health v. Hellerstedt, lower courts have continued to toss legislation restricting abortion access, but that hasn't stopped new laws from popping up just as quickly. [Read more »](#)

## Judge Says Ruling Imminent On Ill. Medicaid Bill Backlog

An Illinois federal judge said she expects to rule by Friday on whether the cash-strapped state must pay Medicaid care providers under a pair of years-old consent decrees, saying she needs more evidence of the bill backlog's impact. [Read more »](#)

## MEDIA & ENTERTAINMENT

## US Treasury Secretary Escapes Film Financier's Fraud Suit

A New York state judge on Tuesday dismissed a film financier's fraud claim against U.S. Treasury Secretary Steve Mnuchin, saying that the producer-turned-policymaker wasn't even accused of communicating with the financier, much less lying about where its money was going. [Read more »](#)

### Analysis

## For NJ Sports Betting, Early Money's On Equal Sovereignty

A federal law blocking states from legalizing sports betting is in jeopardy from a U.S. Supreme Court challenge by New Jersey, as the law's grandfathering of Nevada's sports betting regime could help the Garden State under a principle that argues the law cannot treat states in such disparate ways. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

## US Unveils New Overseas Airport Security Measures

The federal government will subject all U.S.-bound flights from 280 airports in 105 countries to heightened passenger and aircraft screening procedures as part of a spate of new aviation security directives, the Trump administration unveiled Wednesday. [Read more »](#)

## REAL ESTATE

## Age Restriction Not Needed In Housing Notice, NJ Court Says

A New Jersey state appeals court said Wednesday that a trial court erred in finding a

American Immigration Lawyers Association  
American Petroleum Institute Inc.  
Amgen Inc.  
Apple Inc.  
AstraZeneca  
BP p.l.c.  
Bank of America Corporation  
Bristol-Myers Squibb Company  
Campbell Soup Company  
Capital One Financial Corporation  
Center for Biological Diversity Inc.  
Chevron Corporation  
Citigroup Inc.  
Competitive Enterprise Institute  
Environmental Defense Fund Inc.  
Federalist Society  
Financial Industry Regulatory Authority Inc.  
Financial Services Roundtable  
Ford Foundation  
General Mills Inc.  
General Motors  
Goldman Sachs Group Inc.  
Google Inc.  
Guttmacher Institute  
ISO New England Inc.  
International Dairy Foods Association  
JPMorgan Chase & Co.  
Lawyers' Committee for Civil Rights Under Law  
LinkedIn Corp.  
MBIA Inc.  
Merck & Co Inc.  
Morgan Stanley  
NAACP Legal Defense and Educational Fund Inc.  
NFL Enterprises LLC  
National Association of Manufacturers  
National Collegiate Athletic Association  
National Milk Producers Federation  
National Rifle Association of America  
Natural Resources Defense Council  
Nestle  
OneWest Bank Group LLC  
Pacific Legal Foundation  
Planned Parenthood Federation

public hearing notice deficient because it did not state that a proposed townhouse development in Garwood, New Jersey, would be age-restricted, saying that information was not necessary. [Read more »](#)

## EMPLOYMENT

### Trump Picks Burlington Stores GC To Lead EEOC

President Donald Trump has selected Burlington Stores Inc. general counsel Janet Dhillon to serve on the U.S. Equal Employment Opportunity Commission and take over as its chair, the White House said late Wednesday. [Read more »](#)

### Fla. Justices Question State Atty's Stance In Capital Cases

A Florida state attorney challenging the governor's unilateral reassignment of 23 homicide cases after she refused to seek the death penalty in a high-profile murder case faced heavy questioning Wednesday in the Florida Supreme Court on whether she made a "blanket policy" possibly exceeding her authorized discretion. [Read more »](#)

## PRIVACY & CONSUMER PROTECTION

### FTC Chief Says Connected Cars Require 'Regulatory Humility'

The Federal Trade Commission's approach to overseeing the burgeoning world of connected cars that can communicate with one another and the world around them and are likely to one day produce self-driving vehicles on a mass scale is one of "regulatory humility," the agency's acting chairman said on Wednesday. [Read more »](#)

### Ill. Legislature Passes Geolocation Privacy Protection Act

A bill in the Illinois General Assembly seeking to limit the collection and disclosure of a smartphone user's geolocation data within applications will be sent on to Gov. Bruce Rauner after the House narrowly approved the legislation Tuesday. [Read more »](#)

### Calif. AG, Restaurant Debate High Court Ruling At 9th Circ.

California's attorney general and an Italian restaurant sparred Tuesday in the Ninth Circuit over how a U.S. Supreme Court ruling about retailers' disclosures to customers regarding credit card surcharges will affect the AG's appeal of a California federal court decision that tossed a state ban on credit card surcharges. [Read more »](#)

### Calif. AG's Discovery Bid In IMDb Suit Draws Judge's Rebuke

A California federal judge slammed the state attorney general's bid for discovery in the government's defense of a state law that would ban IMDb from publishing actors' ages, blasting the requests as "disturbing" against the backdrop of First Amendment concerns brought up by the case. [Read more »](#)

## AEROSPACE & DEFENSE

### Senate Panel Advances Deputy Defense Secretary Nominee

The Senate Armed Services Committee on Wednesday easily advanced the nomination of former Boeing Co. executive Patrick Shanahan to serve as deputy defense secretary, despite committee Chairman John McCain, R-Ariz., previously threatening to block Shanahan's nomination. [Read more »](#)

### Trump Names Textron CEO To Lead Pentagon Acquisitions

President Donald Trump has tapped Textron Systems Corp. chief executive Ellen M. Lord to serve as undersecretary for acquisitions, technology and logistics at the Department of Defense, the White House announced Tuesday. [Read more »](#)

Public Knowledge  
Purdue Pharma LP  
Relativity Media LLC  
Samsung Electronics Co. Ltd.  
State Bar of California  
State Street Corp.  
Stepan Co.  
Talen Energy Corp.  
Textron Inc.  
The Bank of New York Mellon Corporation  
The Boeing Company  
Twitter Inc.  
U.S. Airways Group Inc.  
United Technologies Corporation  
WPP PLC  
Washington Post Co.  
Wells Fargo & Co.  
Yahoo! Inc.

## GOVERNMENT AGENCIES

California Department of Finance  
California Department of Justice  
California Environmental Protection Agency  
California State Board of Equalization  
Commodity Futures Trading Commission  
Congressional Budget Office  
Connecticut Department of Energy & Environmental Protection  
Connecticut Public Utilities Regulatory Authority  
Consumer Financial Protection Bureau  
Department of Commerce  
Equal Employment Opportunity Commission  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Reserve System  
Federal Trade Commission  
Fish and Wildlife Service  
Florida House of Representatives  
Food and Drug Administration  
Illinois General Assembly  
Internal Revenue Service

## INTERNATIONAL TRADE

### Crusade Against Canadian Dairy Hurdles Goes Global

The U.S. dairy industry on Tuesday picked up new allies in its fight to knock down Canadian pricing policies in that sector as it united with industry groups from Argentina, Australia, the European Union, Mexico and New Zealand to encourage their respective governments to lean on Ottawa. [Read more »](#)

## TAX

### Tax Court Won't Grant Anonymity To Serial Whistleblower

The U.S. Tax Court refused to grant anonymity to a petitioner seeking a whistleblower award from the IRS in a published opinion Wednesday, citing the public interest of identifying "serial filers" in the wake of an increasing number of whistleblower claims. [Read more »](#)

### Calif. Gov. Signs Bill Gutting Tax Board, Shifting Powers

California Gov. Jerry Brown has signed legislation stripping the state's beleaguered tax board of most of its powers and replacing it with two new agencies, the product of investigations into the board's alleged misuse of state resources and other questionable practices. [Read more »](#)

### IRS Advocate Says More Resources Needed For Taxpayer Aid

The Internal Revenue Service doesn't dedicate nearly enough resources to meeting taxpayers' service needs, a problem attributed in part to insufficient funding, National Taxpayer Advocate Nina E. Olson said on Wednesday in her mandatory midyear report to lawmakers. [Read more »](#)

## BANKRUPTCY

### Puerto Rico Oversight Board Must Rethink Plan In Bond Row

The judge presiding over Puerto Rico's historic debt restructuring told the board in charge of alleviating the territory's fiscal crisis on Wednesday to rework its plan to resolve a key creditor dispute over rights to sales tax revenues, seeing fundamental problems with how it would select representatives with opposing interests. [Read more »](#)

### Puerto Rico Board Rejects Utility Debt Restructuring Deal

A key Puerto Rico oversight board voted Tuesday to reject a workout for the \$9 billion in debt held by the island's power utility, potentially now sending the utility toward a more formal, bankruptcy-like process. [Read more »](#)

### OECD Praises Progress On Info Sharing To Catch Tax Cheats

International tax cheats are finding it harder to hide their assets, according to a new Organization for Economic Cooperation and Development report, even as one advocate group called the OECD's criteria "so weak as to be near enough meaningless" in measuring tax compliance. [Read more »](#)

## IMMIGRATION

### CBP Mistreating Detained Kids, Flouting Pact, Judge Says

A California federal judge on Tuesday said U.S. Customs and Border Protection is again violating a 20-year-old settlement agreement dictating the treatment of immigrant minors, granting a motion to enforce the agreement and ordering the appointment of a juvenile coordinator. [Read more »](#)

### Iranian Groups Seek New Block After High Court Ruling

Massachusetts Department of Revenue

NAFTA

National Credit Union Administration

National Highway Traffic Safety Administration

National Institute of Standards and Technology

Occupational Safety and Health Administration

Office of the Comptroller of the Currency

Office of the U.S. Trade Representative

Pipeline and Hazardous Materials Safety Administration

Securities and Exchange Commission

Transportation Security Administration

U.S. Air Force

U.S. Attorney's Office

U.S. Customs and Border Protection

U.S. Department of Agriculture

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of Transportation

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Senate

U.S. Supreme Court

World Trade Organization

Multiple Iranian-American groups asked a D.C. federal court Tuesday to preliminarily block President Donald Trump's travel ban as it applies to certain Iranian individuals in same-sex relationships, arguing that they face imminent irreparable harm if they're forced to return to their home country. [Read more »](#)

## TELECOMMUNICATIONS

### Cable Cos. Broke Set-Top Box Promise, Advocate Tells FCC

A consumer advocacy group told the Federal Communications Commission on Tuesday that the pay-TV industry appears to be moving away from efforts to "ditch" the set-top box now that the FCC has dropped its plan to force them to unlock it, saying the industry has little motivation to change its approach. [Read more »](#)

## PENNSYLVANIA

### Philly DA Was Warned About Spending, Campaign Aide Says

The onetime executive director of Philadelphia District Attorney Seth Williams' political action committee testified Wednesday that she had warned her former boss against using campaign dollars for memberships and other expenses at private clubs, as the focus of the federal corruption trial turned to his spending habits. [Read more »](#)

## PEOPLE

### Former Senior Executive Adviser At NIST Joins Venable

A former senior executive adviser at the National Institute of Standards and Technology who helped guide the Obama administration's first cybersecurity program has joined Venable LLP as its managing director of technology business strategy. [Read more »](#)

## EXPERT ANALYSIS

### Potential Impact Of Senate Health Care Bill: A Closer Look

The Better Care Reconciliation Act introduced by Senate Republicans last week proposes many of the same changes as the American Health Care Act passed by House Republicans in May. These changes would significantly reduce the tax, administrative and legal-compliance costs borne by group health plan sponsors, but several challenges have raised the specter of uncertainty for interested stakeholders, says Eric Schillinger of Trucker Huss APC. [Read more »](#)

### Prepare Now For EU's New Data Breach Notification Regime

The EU General Data Protection Regulation introduces sweeping changes, including one that will be unfamiliar to many companies with EU operations — the requirement to report data breaches within tight time frames, say Karen Neuman, former chief privacy officer with the U.S. Department of Homeland Security, and Federica De Santis of Goodwin Procter LLP. [Read more »](#)

### 2 FINRA Rules Ripe For Review And Clarification

The Financial Industry Regulatory Authority is requesting comments on the effectiveness and efficiency of its rules on outside business activities of registered persons and private securities transactions of an associated person. Both rules aim to protect investors from potentially problematic activities, but many firms struggle with the language of the rules, say attorneys with K&L Gates LLP. [Read more »](#)

### The Road To Standardizing Food Safety And Quality Dates

A lack of clear federal regulatory guidance on the quality and safety of food is one primary reason food waste is such a chronic problem in the U.S. Another is fear of liability. But potential solutions exist, both in the form of proposed legislative reform

and current legislation, as well as voluntary standards developed by the food industry, says Michael Cromwell of Womble Carlyle Sandridge & Rice LLP. [Read more »](#)

## **Take 2 On Proposed Regs For Partnership Audit Rules**

The U.S. Treasury Department and the IRS have reissued proposed regulations on new centralized partnership audit rules, after withdrawing them in January following an executive order from the Trump administration. Partnerships and partners should take note that the new partnership audit rules shift the burden of tax liability from "reviewed-year" partners to current partners, say attorneys with Dechert LLP. [Read more »](#)

## **How Discovery Has Changed Under New Federal Rules**

In December 2015, an amendment to Rule 26 of the Federal Rules of Civil Procedure was implemented with the intent of putting reasonable limits on civil discovery. The many subsequent cases that have applied the amended rules provide guideposts for litigants and practitioners, say Brandee Kowalzyk and Christopher Polston of Nelson Mullins LLP. [Read more »](#)

## **LEGAL INDUSTRY**

### **The Top 10 Most Family-Friendly Law Firms**

Yale Law Women on Wednesday revealed the 10 U.S. law firms with the best family-friendly policies and practices, with one firm keeping its place on the list for the 12th year in a row and at least two others racking up repeat performances for including perks like flextime schedules and longer family leave time. [Read more »](#)

### **DLA Offices Struggle To Get Back Online After Cyberattack**

DLA Piper attempted to restore its systems Wednesday following the massive global ransomware attack that crippled an array of businesses and government agencies in Russia, Europe and the U.S. [Read more »](#)

#### **Analysis**

### **Ropes & Gray Defends 'Strategic' Cuts To Patent Practice**

Ropes & Gray LLP's patent litigation team is approximately half the size it was five years ago, and the firm's patent prosecution team is set to leave later this year. Here, former partners and the firm's leadership offer their disparate views on the group's drastic transformation. [Read more »](#)

### **One Factor That May Be Affecting Lawyer Mental Health**

A number of factors predispose lawyers to mental health problems, including a heavy workload, but there's one thing that could have an outsized impact on a lack of satisfaction in the profession, according to a Wednesday presentation by the American Bar Association. [Read more »](#)

### **Calif. Bar Needs Tougher Controls For Spending, Audit Finds**

The State Bar of California lacks effective controls for its spending, including on salaries and attorney discipline, according to a state audit Tuesday that also revealed employees questioned the tone at the top, including whether there's enough trust between management at the agency and employees. [Read more »](#)

### **Plaintiffs Bar Perspective: Beasley Allen's Andy Birchfield**

Honesty and integrity should be hallmarks of any communication style. Juries, judges and opposing counsel notice, and it can make a world of difference whether delivering a closing statement, making an important argument, or negotiating a global settlement, says Andy Birchfield of Beasley Allen Crow Methvin Portis & Miles PC. [Read more »](#)

#### **Weekly Column**

### **Innovating For Wise Juries: Pre-Voir Dire Questions**

The simple practice of asking jurors important and substantive questions early can help make trial by jury a more reliable form of dispute resolution, say Stephen

## **JOBS**

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### **LAW FIRMS**

Arnold & Porter Kaye Scholer  
DLA Piper  
Gupta Wessler  
Morrison & Foerster  
Orrick Herrington  
Paul Weiss  
Proskauer Rose  
Sidley Austin  
Alston & Bird  
Andrews Kurth Kenyon  
Baker Botts  
Beasley Allen  
Becker & Poliakoff  
Brann & Isaacson  
Cleary Gottlieb  
Dechert  
Dentons  
Ferraiuoli LLC  
Foley & Lardner  
Genova Burns  
Goldberg Kohn  
Goodwin  
Harris Wiltshire  
Hogan Lovells  
Honigman Miller  
Hooper Lundy  
Hueston Hennigan  
Hughes Hubbard  
Jenner & Block  
Jones Day  
K&L Gates  
King & Spalding  
Kirkland & Ellis  
Kramer Levin  
Lane Powell  
Latham & Watkins  
Lawyers' Committee for Civil Rights  
Markun Zusman  
Mayer Brown  
McDermott Will  
Milbank Tweed  
Morgan Lewis  
Motley Rice  
Munger Tolles  
Nelson Mullins



Nielsen Merksamer  
O'Melveny & Myers  
O'Neill & Borges  
Paul Hastings  
Perkins Coie  
Polsinelli  
Quinn Emanuel  
Robbins Russell  
Ropes & Gray  
Sayles Werbner  
Shute Mihaly  
Simpson Thacher  
Skadden  
Steptoe & Johnson LLP  
Sullivan & Cromwell  
Susman Godfrey  
Trucker Huss  
Venable LLP  
Weil Gotshal  
White & Case  
Womble Carlyle  
Zuckerman Spaeder

#### COMPANIES

American Bar Association  
Environmental Defense Fund Inc.  
Federalist Society  
Washington Post Co.  
A.P. Moller-Maersk  
ATS Corporation  
Aetna Inc.  
Alliance Defending Freedom  
American Civil Liberties Union  
American Express Company  
American Federation of Television and Radio Artists  
American Immigration Council  
American Immigration Lawyers Association  
American Petroleum Institute Inc.  
Amgen Inc.  
Apple Inc.  
AstraZeneca  
BP p.l.c.  
Bank of America Corporation  
Bristol-Myers Squibb Company  
Campbell Soup Company  
Capital One Financial Corporation  
Center for Biological Diversity Inc.  
Chevron Corporation  
Citigroup Inc.  
Competitive Enterprise Institute  
Financial Industry Regulatory Authority Inc.

Financial Services Roundtable  
Ford Foundation  
General Mills Inc.  
General Motors  
Goldman Sachs Group Inc.  
Google Inc.  
Guttmacher Institute  
ISO New England Inc.  
International Dairy Foods Association  
JPMorgan Chase & Co.  
Lawyers' Committee for Civil Rights Under Law  
LinkedIn Corp.  
MBIA Inc.  
Merck & Co Inc.  
Morgan Stanley  
NAACP Legal Defense and Educational Fund Inc.  
NFL Enterprises LLC  
National Association of Manufacturers  
National Collegiate Athletic Association  
National Milk Producers Federation  
National Rifle Association of America  
Natural Resources Defense Council  
Nestle  
OneWest Bank Group LLC  
Pacific Legal Foundation  
Planned Parenthood Federation  
Public Knowledge  
Purdue Pharma LP  
Relativity Media LLC  
Samsung Electronics Co. Ltd.  
State Bar of California  
State Street Corp.  
Stepan Co.  
Talen Energy Corp.  
Textron Inc.  
The Bank of New York Mellon Corporation  
The Boeing Company  
Twitter Inc.  
U.S. Airways Group Inc.  
United Technologies Corporation  
WPP PLC  
Wells Fargo & Co.  
Yahoo! Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Internal Revenue Service  
Securities and Exchange Commission  
Congressional Budget Office  
European Union



U.S. Department of Homeland Security  
U.S. House of Representatives  
Federal Communications Commission  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Office of the Comptroller of the Currency  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Senate  
World Trade Organization  
California Department of Finance  
California Department of Justice  
California Environmental Protection Agency  
California State Board of Equalization  
Commodity Futures Trading Commission  
Connecticut Department of Energy & Environmental Protection  
Connecticut Public Utilities Regulatory Authority  
Consumer Financial Protection Bureau  
Department of Commerce  
Equal Employment Opportunity Commission  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Fish and Wildlife Service  
Florida House of Representatives  
Illinois General Assembly  
Massachusetts Department of Revenue  
NAFTA  
National Credit Union Administration  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
Occupational Safety and Health Administration  
Office of the U.S. Trade Representative  
Pipeline and Hazardous Materials Safety Administration  
Transportation Security Administration  
U.S. Air Force  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Agriculture  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation

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**To:** Jason Roeller[jroeller@LasVegasNevada.GOV]  
**Cc:** Orlando Sanchez[osanchez@LasVegasNevada.GOV];  
bfretwell@LasVegasNevada.GOV[bfretwell@lasvegasnevada.gov]; Lora  
Kalkman[lkalkman@LasVegasNevada.GOV]  
**From:** Carolyn G. Goodman  
**Sent:** Thur 3/5/2015 5:16:29 PM  
**Subject:** RE: Fire Alarm Office Staffing is at Critical levels

We are a team here and so glad this issue has been resolved at this time. Thank you for bringing it to our attention.

Carolyn G. Goodman, Mayor  
Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

-----Original Message-----

From: Jason Roeller  
Sent: Monday, March 02, 2015 6:21 PM  
To: Carolyn G. Goodman  
Subject: RE: Fire Alarm Office Staffing is at Critical levels

Today a new policy is posted that will start in a few weeks to limit our maximum time held to 14 hrs. I am not sure who to thank for this but if it has something to do to this letter, I appreciate you looking into it. Our division as a whole thanks you.

Sincerely,  
Jason Roeller

-----Original Message-----

From: Carolyn G. Goodman  
Sent: Thursday, February 26, 2015 1:42 PM  
To: Jason Roeller  
Cc: Betsy Fretwell; Orlando Sanchez; Lora Kalkman  
Subject: RE: Fire Alarm Office Staffing is at Critical levels

Hi Jason:

With City Hall closed tomorrow and our Manager out-of-town, I am emailing her and the Deputy City Manager, Orlando Sanchez, to look into this as soon as possible. Thank you for your open communication, and I am hopeful that they will find out what is occurring and work to resolve the problem(s) next week.

Mayor Goodman  
Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

CLV001170

-----Original Message-----

From: Jason Roeller

Sent: Wednesday, February 25, 2015 11:53 AM

To: Carolyn G. Goodman

Cc: Jason Roeller

Subject: Fire Alarm Office Staffing is at Critical levels

Mrs Mayor Goodman:

I work in the Fire Alarm Office and have for 15 years. Our office staff is painfully struggling thru a massive staff shortage. We are severely understaffed and have been for years now. Our employees are working massive amounts of overtime to keep our staffing requirements to safe levels. Our employees are working extra shifts, up to 16 hour days with only an 8 hour break in between and we are falling apart at the seams. Our E-staff is telling us that the hold up to hire new employees is due to lack of personnel at Human Resources being able to fast track our hiring procedure and we are being placed on a waiting list in the city before any new hiring process can even be started. People with 10 plus years on the job are quitting because their family life is struggling due to the demands being placed on our employees. These are great employees, hard working , and dedicated employees who help save lives everyday. Without staffing there wont be enough personnel to answer 9-11 calls from the public and hold times will increase.

Our call volume has doubled since 2000 and yet our manpower has barely changed during that time. We are fighting for this city and county to be safe however we need personnel immediately. I have never written city hall about our problems ever but our cries for help are not being answered. I have talked to our chiefs numerous times and our hiring is at a snails pace. We have only 5 people in a training class where we need 15. We need 15 people now.

I am begging that HR please fast track our hiring process. It is critical so we are not having 9-11 calls be left on hold or go unanswered. Please help us. We are doing everything we can to serve our public. However without adequate manpower more employees will leave us. We can not afford to lose any more employees. I do not wish to be a whistleblower here and hope that my name be confidential for fear of retaliation. I love my job , we just need help.

Sincerely,

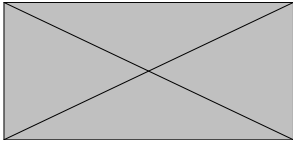
Jason Roeller

Las Vegas Fire & Rescue

Fire Communication Specialist for 15 years

CLV001171

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 3/20/2019 8:21:27 AM  
**Subject:** 9th Circ. Picks Leaving Lucrative Partnerships For Bench



**PUBLIC POLICY.**

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**Wednesday, March 20, 2019**

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## TOP NEWS

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### 9th Circ. Picks Leaving Lucrative Partnerships For Bench

President Donald Trump's choices for two Ninth Circuit vacancies are leaving lucrative partnerships at major law firms to join the appellate bench, according to financial disclosures released by the Senate Judiciary Committee.

[Read full article »](#)

#### Analysis

### Gorsuch, Ginsburg Strike Rare Accord In Tribal Tax Case

Tuesday's U.S. Supreme Court ruling on whether a Native American company should be required to pay a Washington state fuel tax featured a rare agreement between justices who have often locked horns, with Justice Ruth Bader Ginsburg ditching her liberal colleagues and joining a concurrence by Justice Neil Gorsuch.

[Read full article »](#)

#### Analysis

### Trimmed Internet Of Things Bill Could Still Carry Weight

New scaled-down legislation to create federal security standards for the mushrooming sphere of internet-connected devices could have a major impact on businesses even after industry-friendly changes, attorneys say.

[Read full article »](#)

#### Analysis

### Justices Leave Room To Challenge Immigrant Detention Law

The U.S. Supreme Court on Tuesday appeared to leave the door open to further challenges on constitutional grounds to a statute requiring the government to arrest and detain immigrants who have certain criminal convictions without bond hearings, immigration scholars said.

[Read full article »](#)

### Justices Rule Some Immigrants Not Entitled To Bond Hearings

The U.S. Supreme Court on Tuesday ruled that certain immigrants do not have a right to a bond hearing even if they were not immediately detained following their release from criminal custody.

[Read full article »](#)

#### Analysis

### Boeing, FAA Both Under Scrutiny In Twin Federal Probes

The U.S. Departments of Justice and Transportation are scrutinizing the development and federal approval of the now-grounded Boeing 737 MAX jet in rare simultaneous investigations that experts say will add to the aerospace company's mounting legal

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#### LAW FIRMS

Andrus Anderson  
Archer & Greiner  
BakerHostetler  
Baum Hedlund  
Berger Singerman  
Block & Leviton  
CJ Lake LLC  
Cafferty Clobes  
Constantine Cannon  
Covington & Burling  
Crowell & Moring  
Dechert  
Dentons  
Dickinson Wright  
Eisinger Law Firm  
Estrella LLC  
Finkelstein Thompson  
Foley Hoag  
Gibson Dunn  
Goldstein & Russell  
Goldstein Law PLLC  
Goodwin  
Green & Noblin PC  
Greenberg Traurig  
Jenner & Block  
Jomarron Lopez  
Kelley Drye  
Kenney Shelton  
King & Spalding  
Kirkland & Ellis  
Law Office of Richard S. Cornfeld  
LeClairRyan  
McConnell Valdes

CLV001172

worries.

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## IN-DEPTH

### Feature

## From Showdowns To Hotlines, Frazzled Judges Get Creative

Using magistrate hotlines, “showdown” hearings and extra mediation, many courts with heavy dockets have pioneered methods for moving cases along. But not every program succeeds, and the techniques have their detractors. (This article is part of a series on the lack of new judgeships in the federal judiciary).

[Read full article »](#)

### Graphic

## ‘In A Timely Manner’: Three Decades Of Judgeship Bills

Partisanship has played a large role in the small passage rate of new judgeship bills since 1990. New judgeships create new vacancies, and neither party wants to give the other the opportunity to fill them. (This article is part of a series on the lack of new judgeships in the federal judiciary).

[Read full article »](#)

## BANKING & SECURITIES

### Dem State AGs Threaten Action Over CFPB Payday Rule Delay

Democratic attorneys general from New York, California, Massachusetts and more than 20 other states have warned the Consumer Financial Protection Bureau that they will “consider taking legal action” if the agency presses ahead with its bid to delay the compliance date for the payday lending underwriting standards that it has proposed scrapping.

[Read full article »](#)

## ENERGY & ENVIRONMENTAL

### Enviros, Dems Criticize EPA New Plant Rule In Comments

Green groups and Democratic politicians are criticizing the U.S. Environmental Protection Agency’s proposal to replace an Obama-era rule regulating new and modified power plants’ carbon emissions as inadequately protective of human health and the environment.

[Read full article »](#)

### Forest Service Sued Over Logging In Mont. Wilderness

A hunters group filed suit Tuesday in Montana federal court against the U.S. Forest Service accusing it of bypassing requirements in the National Forest Management Act and other laws when it approved logging in parts of Helena National Forest.

[Read full article »](#)

McDermott Will

McGuireWoods

Miller Axline

Morrison & Foerster

Munger Tolles

Norton Rose Fulbright

O'Melveny & Myers

O'Neill & Borges

Paduano & Weintraub

Pietrantonio Mendez

Pomerantz LLP

Pritzker Levine

Proskauer Rose

Quinn Emanuel

Quiñones Law PLLC

Reed Smith

Safirstein Metcalf

Sanford Heisler Sharp

Sepulvado Maldonado

Siebman Forrest

Susman Godfrey

Tabet DiVito

Western Environmental Law Center

WilmerHale

Windels Marx

Wohl & Fruchter

### COMPANIES

Organisation for Economic Co-operation and Development

American Bankers Association

American Civil Liberties Union

American Petroleum Institute Inc.

American Public Power Association

Apple Inc.

Associated Press

Athenex Inc.

Chevron Corp.

Clean Air Task Force

Comcast Corp.

Competitive Enterprise Institute

Conservation Law Foundation

Consumer Bankers Association

DISH Network Corp.

Delta Air Lines Inc.

Electronic Privacy Information Center

Endo International PLC

Ethiopian Airlines Enterprise

Facebook

Federal Bar Association

CLV001173

## Energy Firms Fight Redo Of Puerto Rico MTBE Rulings

Oil companies Shell and Total are fighting Puerto Rico's bid to expand its claims that the firms contaminated groundwater and soil through a chemical in their gasoline, arguing Tuesday that the commonwealth can't upend years-old rulings from a multidistrict litigation court that narrowed the suit.

[Read full article »](#)

## LIFE SCIENCES

### Athenex Says FDA Wrongly Policing Practice Of Medicine

Athenex Inc. asked a D.C. federal judge for a quick win in its suit over the U.S. Food and Drug Administration's finding that there isn't a clinical need for a drug product containing the hormone vasopressin, arguing that the agency is improperly regulating the practice of medicine.

[Read full article »](#)

## TRANSPORTATION & INFRASTRUCTURE

### On Heels Of Boeing Crash, Trump Taps Ex-Delta VP For FAA

A week and a half after the Ethiopian Airlines crash that took 157 lives, President Donald Trump said he planned to nominate a former Delta Air Lines senior vice president to fill the long-vacant role of Federal Aviation Administration chief.

[Read full article »](#)

## EMPLOYMENT

### EEOC Has Until April 3 To Explain Slow Pay Survey Rollout

The Washington, D.C., federal judge who ordered the U.S. Equal Employment Opportunity Commission to reinstate its employer pay data survey has given the agency until April 3 to say how it will implement her order, a spokeswoman for the plaintiffs' attorneys said Tuesday.

[Read full article »](#)

### Challenge To Minimum Wage For H-2A Farmworkers Tossed

A D.C. federal judge has thrown out a farm group's challenge to the U.S. Department of Labor's minimum wage requirements for migrant agricultural workers on H-2A visas, finding Monday that the lawsuit had been filed too late.

[Read full article »](#)

### Ending Bias A Priority For Judiciary, Calif. Top Judge Says

California Supreme Court Chief Justice Tani Cantil-Sakauye used her annual State of the Judiciary speech on Tuesday to highlight the problem of discrimination and sexual harassment in the justice system, calling for a more accessible and equitable judicial branch.

[Read full article »](#)

### DHS Worker Claims Retaliation After Mishandled Bomb Report

A bomb appraisal officer hit the U.S. Department of Homeland Security with a whistleblower lawsuit in Florida federal court Monday, claiming he was retaliated against and harassed for years after reporting that a supervisor allowed the loading of improvised explosive devices onto a passenger airplane.

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Frontier Communications Corp.  
Google Inc.  
Home Depot Inc.  
Immigrant Defense Project  
Immigrant Legal Resource Center  
Instagram Inc.  
International Business Machines Corp.  
Kudelski Group  
LafargeHolcim Ltd.  
McGuireWoods Consulting LLC  
Mercedes-Benz  
Microsoft Corporation  
National Center for Lesbian Rights  
National Rural Electric Cooperative Association  
National Women's Law Center  
New York Times Co.  
New York University  
North American Coal Corp.  
Par Pharmaceutical Companies, Inc.  
Public Knowledge  
Royal Dutch Shell PLC  
S.A.C. Capital Advisors LP  
Sinclair Broadcast Group Inc.  
TOTAL SA  
Takata Corp.  
TechFreedom  
Texas RioGrande Legal Aid Inc.  
The Boeing Company  
Tribune Media Co.  
Trump Organization Inc.  
Twitter Inc.  
United Farm Workers  
Volkswagen  
Vox Media Inc.  
Wells Fargo & Co.

## GOVERNMENT AGENCIES

California Supreme Court  
Central Intelligence Agency  
Competition and Markets Authority  
Confederated Tribes and Bands of the Yakama Nation  
Consumer Financial Protection Bureau  
Equal Employment Opportunity Commission  
European Commission  
European Union  
Executive Office of the President  
Federal Aviation Administration

## COMPETITION

### Google's Browser Poll Of Android Users Meant To Assuage EU

Google Inc. said Tuesday it plans to ask European Android users what browser and search engines they prefer, a concession to European Union antitrust regulators that have in the past couple years fined the company a combined €6.76 billion.

[Read full article »](#)

### Europe Launches Online Cartel Whistleblowing Tool

The European Commission announced Tuesday that it was launching a new online program that will make it easier for companies and legal representatives to submit documents and blow the whistle on cartel cases.

[Read full article »](#)

### Top House Antitrust Dem Calls For Facebook Probe

The head of the House antitrust subcommittee on Tuesday called for the Federal Trade Commission to investigate Facebook over allegations that it has abused a monopoly position to undermine competition.

[Read full article »](#)

### La. Appraisers Board Says 5th Circ. Got FTC Case Wrong

The Louisiana Real Estate Appraisers Board is urging the full Fifth Circuit to rethink a panel decision upholding the Federal Trade Commission's antitrust enforcement action against the board's fee rules, arguing the judges went against precedent.

[Read full article »](#)

### Nexstar-Tribune Will Make 'Broadcast Colossus,' FCC Told

Cable provider Frontier Communications Corp., satellite programmer Dish Network Corp. and a handful of advocacy groups have filed petitions asking the Federal Communications Commission to halt the proposed Nexstar-Tribune broadcast merger, saying it will ratchet up programming prices and give birth to a "broadcast colossus."

[Read full article »](#)

## CYBERSECURITY & PRIVACY

### Congress Urged To Scrap NSA Phone Spying Program

More than three dozen civil liberties groups are calling on Congress to officially end a controversial National Security Agency surveillance program that is set to expire at the end of the year, arguing that efforts to scale back the bulk collection of Americans' phone records have missed their mark.

[Read full article »](#)

## AEROSPACE & DEFENSE

### DOD Still Can't Implement 'Transgender Ban,' Judge Rules

A D.C. federal judge told the government Tuesday that it can't implement its contentious military transgender policy even though other courts have lifted an injunction against it, because the plaintiffs that challenged the ban in Washington, D.C., still have time to ask for a rehearing.

[Read full article »](#)

[Federal Communications Commission](#)

[Federal Reserve Bank of New York](#)

[Federal Reserve System](#)

[Federal Trade Commission](#)

[Food and Drug Administration](#)

[Indian Arts and Crafts Board](#)

[Judicial Conference of the United States](#)

[NAFTA](#)

[National Institute of Standards and Technology](#)

[National Security Agency](#)

[Navajo Nation](#)

[Powhatan Renape Nation](#)

[Small Business Administration](#)

[Transportation Security Administration](#)

[U.S. Air Force](#)

[U.S. Attorney's Office](#)

[U.S. Department of Agriculture](#)

[U.S. Department of Defense](#)

[U.S. Department of Health and Human Services](#)

[U.S. Department of Homeland Security](#)

[U.S. Department of Justice](#)

[U.S. Department of Labor](#)

[U.S. Environmental Protection Agency](#)

[U.S. Forest Service](#)

[U.S. House of Representatives](#)

[U.S. Immigration and Customs Enforcement](#)

[U.S. Senate](#)

[U.S. Supreme Court](#)

[United States District Court for the Eastern District of Pennsylvania](#)

[Washington State Department of Licensing](#)

[World Trade Organization](#)



## INTERNATIONAL TRADE

### Trump Sees Crucial Trade Ally In Brazil's Bolsonaro

President Donald Trump on Tuesday said he hopes to forge a closer relationship with Brazil under the leadership of President Jair Bolsonaro, saying he will look to cooperate with the newly elected leader on Venezuela sanctions, agricultural market access and space projects.

[Read full article »](#)

## IMMIGRATION

### 9th Circ. To Rethink Child Endangerment As Deportable Crime

The full Ninth Circuit agreed Monday to rethink a split panel decision that left in place a deportation order against a Mexican citizen and longtime U.S. resident who was convicted of child endangerment in California for driving under the influence with his unbuckled, but unharmed, son in the car.

[Read full article »](#)

## NATIVE AMERICAN

### 2 NJ Tribes Get Recognition Reaffirmed By State

New Jersey has affirmed its official recognition of the Powhatan Renape Nation and the Ramapough Lenape Nation through settlement agreements that acknowledge the tribes have been recognized by the state since 1980, New Jersey Attorney General Gurbir S. Grewal said.

[Read full article »](#)

## TELECOMMUNICATIONS

### Wi-Fi Sharing Could Compromise Infrastructure, FCC Told

As the Federal Communications Commission considers opening up the 6 GHz spectrum band to relieve Wi-Fi congestion, some stakeholders have warned that a shared arrangement could compromise critical infrastructure communications, especially if amateur users are allowed to jump on the airwaves.

[Read full article »](#)

### Fake PAC Man Used Beto Site To Fleece Donors, Feds Say

A California man was arrested Tuesday for what Manhattan federal prosecutors call a campaign of fraud that succeeded in pilfering \$250,000 from web surfers who thought they were supporting prominent politicians like Beto O'Rourke.

[Read full article »](#)

## PEOPLE

### Quinn Emanuel Partner Named Next Ambassador To Mexico

Quinn Emanuel Urquhart & Sullivan LLP appellate partner Christopher Landau has been tapped to serve as the next ambassador to Mexico, the White House said in a statement on Monday.

[Read full article »](#)

## EXPERT ANALYSIS

### Trump's NDA Use Raises 1st Amendment Questions

With respect to the First Amendment, the reported terms of President Donald Trump's nondisclosure agreements for White House staff do not conform with legal precedent because they extend past employees' service and do not narrowly target classified or confidential information, says Leonard Samuels of Berger Singerman LLP.

[Read full article »](#)

#### Opinion

### Student Loan Repayment Relief Is Sound Fiscal Policy

Legislation currently making its way through Congress, expanding the tax exclusion for employer-provided educational assistance to include student loan payments, would assist millions of Americans with the cost of higher education and benefit the economy as a whole, says David Mark at LendKey Technologies Inc.

[Read full article »](#)

#### Series

### Judging A Book: Bashant Reviews 'Doing Justice'

My initial reaction to "Doing Justice" was that author Preet Bharara may have bitten off more than he could chew — an accusation leveled against him when he served as U.S. attorney for the Southern District of New York — but I found the book full of helpful gems, says U.S. District Judge Cynthia Bashant of the Southern District of California.

[Read full article »](#)

## LEGAL INDUSTRY

### Dentons Can Practice In Hawaii, State Supreme Court Rules

Dentons can continue to practice law in Hawaii after a published decision from the state's Supreme Court shot down a challenge contending the firm cannot practice in the state unless every partner is licensed in Hawaii.

[Read full article »](#)

### In-House Attys Tout Live Training In Proskauer #MeToo Survey

For in-house attorneys responsible for policing workplace behavior, live training with staff is by far the most effective way to reduce complaints, according to a new report released Tuesday from Proskauer Rose LLP, which encouraged general counsel to use that consensus to press for updated programs that truly engage workers.

[Read full article »](#)

### 2nd Circ. Rejects Reed Smith's Appeal In \$7M Fee Fight

The Second Circuit ruled Tuesday a New York federal judge was right to shut down Reed Smith LLP's \$6.75 million state court suit against Wohl & Fruchter LLP over \$27 million in class action fees, ruling the dispute should have been resolved when the district court evaluated the fee award.

[Read full article »](#)

### Ex-MoFo Attys Fighting To Stay In Pregnancy Bias Suit

A pair of lawyers who earlier this year joined a \$100 million pregnancy bias class action against Morrison & Foerster LLP renewed their call Tuesday to a California federal court to stay in the case.

[Read full article »](#)

## Attorneys Earn Judge's Ire, \$4.3M Fees In Drywall MDL

A Pennsylvania federal judge on Tuesday awarded more than \$4.3 million in fees and costs to attorneys representing indirect purchasers in long-running multidistrict litigation over alleged drywall price-fixing after criticizing their work settling their clients' claims in the suit.

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Constantine Cannon  
Covington & Burling  
Crowell & Moring  
Dechert  
Dentons  
Dickinson Wright  
Eisinger Law Firm  
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Finkelstein Thompson  
Foley Hoag  
Gibson Dunn  
Goldstein & Russell  
Goldstein Law PLLC  
Goodwin  
Green & Noblin PC  
Greenberg Traurig  
Jenner & Block  
Jomarron Lopez  
Kelley Drye  
Kenney Shelton  
King & Spalding  
Law Office of Richard S. Cornfeld  
LeClairRyan

McConnell Valdes  
McDermott Will  
McGuireWoods  
Miller Axline  
Morrison & Foerster  
Munger Tolles  
Norton Rose Fulbright  
O'Melveny & Myers  
O'Neill & Borges  
Paduano & Weintraub  
Pietrantonio Mendez  
Pomerantz LLP  
Pritzker Levine  
Proskauer Rose  
Quinn Emanuel  
Quiñones Law PLLC  
Reed Smith  
Safirstein Metcalf  
Sanford Heisler Sharp  
Sepulvado Maldonado  
Siebman Forrest  
Susman Godfrey  
Tabet DiVito  
Western Environmental Law Center  
Windels Marx  
Wohl & Fruchter

## COMPANIES

Twitter Inc.  
American Civil Liberties Union  
Chevron Corp.  
Delta Air Lines Inc.  
Ethiopian Airlines Enterprise  
Facebook  
Google Inc.  
Microsoft Corporation  
New York University  
The Boeing Company  
Organisation for Economic Co-operation and Development  
American Bankers Association  
American Petroleum Institute Inc.  
American Public Power Association  
Apple Inc.  
Associated Press  
Athenex Inc.  
Clean Air Task Force  
Comcast Corp.  
Competitive Enterprise Institute  
Conservation Law Foundation  
Consumer Bankers Association  
DISH Network Corp.

Electronic Privacy Information Center  
Endo International PLC  
Federal Bar Association  
Frontier Communications Corp.  
Home Depot Inc.  
Immigrant Defense Project  
Immigrant Legal Resource Center  
Instagram Inc.  
International Business Machines Corp.  
Kudelski Group  
LafargeHolcim Ltd.  
McGuireWoods Consulting LLC  
Mercedes-Benz  
National Center for Lesbian Rights  
National Rural Electric Cooperative Association  
National Women's Law Center  
New York Times Co.  
North American Coal Corp.  
Par Pharmaceutical Companies, Inc.  
Public Knowledge  
Royal Dutch Shell PLC  
S.A.C. Capital Advisors LP  
Sinclair Broadcast Group Inc.  
TOTAL SA  
Takata Corp.  
TechFreedom  
Texas RioGrande Legal Aid Inc.  
Tribune Media Co.  
Trump Organization Inc.  
United Farm Workers  
Volkswagen  
Vox Media Inc.  
Wells Fargo & Co.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
European Commission  
Federal Communications Commission  
Federal Trade Commission  
Federal Aviation Administration  
U.S. Department of Homeland Security  
U.S. Senate  
California Supreme Court  
Central Intelligence Agency  
Competition and Markets Authority  
Confederated Tribes and Bands of the Yakama Nation  
Consumer Financial Protection Bureau  
Equal Employment Opportunity Commission  
European Union  
Executive Office of the President

Federal Reserve Bank of New York  
Federal Reserve System  
Food and Drug Administration  
Indian Arts and Crafts Board  
Judicial Conference of the United States  
NAFTA  
National Institute of Standards and Technology  
National Security Agency  
Navajo Nation  
Powhatan Renape Nation  
Small Business Administration  
Transportation Security Administration  
U.S. Air Force  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
U.S. Environmental Protection Agency  
U.S. Forest Service  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
United States District Court for the Eastern District of Pennsylvania  
Washington State Department of Licensing  
World Trade Organization

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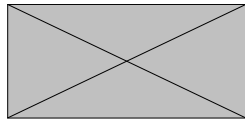
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 8/19/2016 9:01:06 AM  
**Subject:** [Marketing Mail] Judicial Board Floats Class Settlement, E-Filing Changes



**PUBLIC POLICY**

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**Friday, August 19, 2016**

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## **TOP NEWS**

### **Judicial Board Floats Class Settlement, E-Filing Changes**

A committee tasked with oversight and administration of the nation's courts has announced new proposals to further standardize factors used by judges to approve class action settlements and implement a nationwide mandate for the electronic filing of federal court documents.

### **Feds Say Private Prison Contracts Will Be Phased Out**

A high-ranking U.S. Department of Justice official on Thursday said that the federal government's use of private prisons will be phased out in coming years, in part because a 3-year-old law enforcement reform initiative has succeeded in reducing the inmate population by some 25,000.

### **Ohio High Court To Review Attys' Services To Marijuana Cos.**

The Ohio Supreme Court said on Wednesday it will clarify the extent to which attorneys can provide services to medical marijuana-related businesses in the state after the court's board of professional conduct cast doubt on their ability to practice in an industry currently illegal under federal law.

### **EPA Says Recent Rulings Back Clean Power Plan's Legality**

The U.S. Environmental Protection Agency told the D.C. Circuit on Wednesday that recent court rulings on the agency's emissions rule for boilers and incinerators and the Department of Energy's use of the so-called "social cost of carbon" in energy efficiency rules puts the EPA's Clean Power Plan on firm legal ground.

### **Conservatives Mobilize To Quash Ex-Im Rescue Attempts**

A prominent conservative advocacy group on Wednesday called on House Speaker Paul Ryan, R-Wis., to defeat recent efforts to loosen the U.S. Export Import Bank's financing rules, deepening the stark divide over the embattled agency that has emerged over the past year.

### **Pa. Gov. Taps IG For AG Post After Kane Conviction**

Gov. Tom Wolf nominated the state's Inspector General Bruce Beemer to serve as Pennsylvania's attorney general on Thursday following Kathleen Kane's resignation this week on the heels of her conviction for leaking confidential grand jury material to the press.

## **BANKING & SECURITIES**

### **SEC Agrees To Ease Regs For Capital Acquisition Brokers**

The U.S. Securities and Exchange Commission said Thursday it has adopted a new rule proposed by the Financial Industry Regulatory Authority easing requirements on so-called capital acquisition brokers who mainly engage in advising private placements and private mergers and acquisitions.

## **LAW FIRMS**

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Baker Botts  
BakerHostetler  
Balch & Bingham  
Bird Marella  
Bone McAllester  
BuckleySandler  
Cooley  
Cravath Swaine  
Dentons  
Dowd Bennett  
Earthjustice  
Foley & Lardner  
Gibson Dunn  
Goodwin Procter  
Greenberg Traurig  
Hartline Dacus  
Hemenway & Barnes  
Hogan Lovells  
Holland & Knight  
Hunton & Williams  
Husch Blackwell  
Jenner & Block  
K&L Gates  
Kenyon & Kenyon  
Klinedinst  
Latham & Watkins  
Lief Cabraser  
Loeb & Loeb  
Lowenstein Sandler  
Manion Gaynor  
Mayer Brown  
MoloLamken LLP  
Morrison & Foerster  
Morrison Cohen  
Norton Rose Fulbright  
Nutter McClennen  
Pachulski Stang  
Patterson Belknap

CLV001182

## ENERGY & ENVIRONMENTAL

### EPA Not Meeting Fuel Standard Reporting Terms, OIG Says

The U.S. Environmental Protection Agency has failed to carry out several requirements associated with the Renewable Fuel Standard program, including making regular reports to Congress, according to an EPA inspector general's report issued Thursday.

### Law Profs Urge 10th Circ. To Lift BLM Frack Rule Nix

Nearly 40 law professors urged the Tenth Circuit on Wednesday to overturn a Wyoming district court judge's decision tossing the Bureau of Land Management's rules for hydraulic fracturing on federal and Native American lands, saying the court "was unable to cite a single case" to support its findings.

### Pause Sought In EPA Haze Plan Fight Amid Settlement Talks

The U.S. Environmental Protection Agency and challengers of the agency's regional haze plan for Texas and Oklahoma on Wednesday asked the Fifth Circuit, which has already blocked implementation of the plan, to put their fight on hold while they try to hammer out a settlement.

### Enviro Group Sues DOT Over Idaho Highway Expansion

Federal and Idaho transportation officials were hit with a federal suit Thursday alleging they failed to properly review the environmental impacts of an expansion of U.S. Highway 95 south of the city of Moscow that would trample wetlands and remove prime wildlife habitat.

## HEALTH & LIFE SCIENCES

### Feds Scrutinize Steering Of Patients To ACA Plans

Federal regulators on Thursday opened an investigation into efforts by health care providers to steer patients to Affordable Care Act plans instead of Medicare and Medicaid, saying that the efforts could harm the shaky ACA market, cost consumers money and even constitute fraud.

## TRANSPORTATION & INFRASTRUCTURE

### Boston Top Cop Immune From Uber Regs Suit, 1st Circ. Told

Boston's police chief told the First Circuit on Wednesday that qualified immunity merits tossing a constitutional challenge from taxicab drivers claiming the city has unfairly allowed Uber and other ride-hailing companies to operate without the same stringent regulations imposed on traditional taxis.

## INSURANCE

### Pipeline Can't Challenge Delaware Unclaimed Property Audit

A federal judge ruled Tuesday that most of Plains All American Pipeline LP's legal challenge of a state of Delaware audit looking for unclaimed property to scoop up is too speculative to survive, while the rest challenges a legitimate state activity.

## PRODUCT LIABILITY

### Feds Say 2nd Circ. Decision Bodes Ill For Sheldon Silver

Prosecutors intent on keeping former New York State Assembly Speaker Sheldon Silver in jail while he appeals a corruption conviction wasted no time highlighting the Second Circuit's decision on Wednesday tossing former Assemblyman Eric A. Stevenson's bribery appeal.

Paul Hastings  
Quinn Emanuel  
Schiff Hardin  
Schlossberg LLC  
Seyfarth Shaw  
Sidley Austin  
Steptoe & Johnson LLP  
Stradley Ronon  
Stroock & Stroock  
Thompson & Knight  
Troutman Sanders  
Vinson & Elkins  
Weitz & Luxenberg  
Wilkinson Walsh  
WilmerHale

## COMPANIES

American Cable Association  
American Petroleum Institute Inc.  
Apple Inc.  
Bio-Rad Laboratories, Inc.  
Blue Shield of California  
BlueLinx Holdings, Inc.  
CenturyLink Inc.  
Chicago Bar Association  
Clorox Company  
Cognex Corporation  
Comcast Corporation  
Computer & Communications  
Industry Association  
Corrections Corporation of  
America  
DISH Network Corporation  
Facebook  
FanDuel Inc.  
Fidelity Investments  
Financial Industry Regulatory  
Authority Inc.  
Fitbit Inc.  
Frontier Communications  
Corporation  
General Motors  
Google Inc.  
Health Net, Inc.  
Hospira Inc.  
LinkedIn Corp.  
Lumber Liquidators Holdings, Inc.  
Luminant Generation Co. LLC  
Lyft Inc.  
Match.com Inc.  
Medtronic Inc.  
Microsoft Corporation  
National Telephone Cooperative

CLV001183



GOVERNMENT CONTRACTS

USAID Rule Would Allow Use Of Foreign Contracting Officers

The U.S. Agency for International Development on Thursday proposed a change to its acquisition rules that would allow certain foreign nationals to act as contracting officers for the agency, a move intended to address a shortage of U.S. contracting officers and help build foreign technical capacity.

Watchdog Says Pentagon FOIA Policies Need Improvement

A U.S. Department of Defense watchdog on Thursday cleared DOD political appointees of exercising any undue influence on Pentagon Freedom of Information Act decisions, but found that the agency nonetheless needed to make changes to fix outdated FOIA policies.

Spec Ops Watchdog Gets Passing Grade From DOD

The U.S. Department of Defense's Office of the Inspector General gave its counterpart in the Special Operations Command a passing grade in a report released Monday that found minor issues with the watchdog, most of which have been resolved.

TELECOMMUNICATIONS

FCC Refuses To Halt Spectrum Bidding For Trade Shows

The Federal Communications Commission denied a request from two rural telecom trade groups to halt bidding in the spectrum incentive auction, saying Wednesday that they did not justify altering the schedule for their fall events when doing so could undercut the agency's goals.

FCC May Shoot Itself In Foot With Rate Regs, Comcast Says

The Federal Communications Commission risks undercutting its own goals for business data services competition if the agency moves forward with rate regulation on cable companies that are newer entrants to the market, Comcast has said in warning against the plan.

Satellite Needs To Pull Its Weight On FCC Fees, Cable Says

A trade group representing smaller cable providers has pressed the Federal Communications Commission to increase its proposed fees for satellite providers in the next year, saying they are regulated comparably to other pay-TV providers and so should pay a commensurate rate.

Q&A

Rainmaker Q&A: Schiff Hardin's Renee Cipriano

I view my practice growth as a byproduct of what I do each and every day, but not as the goal. In fact, I believe setting out to simply make rain is pretty much a recipe for promoting a drought and withering on the vine as a lawyer, says Renee Cipriano, deputy leader of the environmental group at Schiff Hardin LLP.

EXPERT ANALYSIS

What To Know About New White House GHG Guidance

The White House Council on Environmental Quality's final guidance created to help agencies consider greenhouse gas and climate change impacts in National Environmental Policy Act reviews provides some clarity regarding the overall approach to the process, but it also leaves fundamental questions for individual agencies to answer, say attorneys at Holland & Knight LLP.

Association  
NuVasive, Inc.  
Plains All American Pipeline, L.P.  
Public Knowledge  
SS Body Armor I Inc.  
San Francisco Bar Association  
Sierra Club  
Sotheby's  
Sumitomo Electric Industries Ltd.  
Teva Pharmaceutical Industries Limited  
The Boeing Company  
Turing Pharmaceuticals AG  
Verizon Communications  
Washington Post Co.  
Xcel Energy Inc

GOVERNMENT AGENCIES

Bureau of Land Management  
Council on Environmental Quality  
Equal Employment Opportunity Commission  
European Commission  
Executive Office of the President  
Federal Communications Commission  
Federal Energy Regulatory Commission  
Federal Highway Administration  
Food and Drug Administration  
Idaho Transportation Department  
Illinois Environmental Protection Agency  
Illinois Supreme Court  
Judicial Conference of the United States  
Maritime Administration  
Massachusetts Department of Transportation  
National Credit Union Administration  
National Labor Relations Board  
New York State Assembly  
Occupational Safety and Health Administration  
Securities and Exchange Commission  
U.S. Agency for International Development  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Justice  
U.S. Department of State

## SEC Enforcement Hammer Protects Whistleblowers

The U.S. Securities and Exchange Commission's recent settlements with Health Net and BlueLinx confirm not only its aggressive approach to encouraging whistleblowers, even in the absence of an actual Rule 21F-17 violation, but also the inherent risks companies face when navigating through the current SEC "broken windows" enforcement climate, say attorneys at Paul Hastings LLP.

## LEGAL INDUSTRY

### Practitioner's Playbook: The Appellate Brief

You've just wrapped up a hard-fought trial court battle, and now you and your opponent are gearing up to fight it out all over again on appeal. Here, experts share their advice on marshaling the facts, framing the legal issues and constructing the single-most important weapon you have in Round 2 — the appellate brief.

### Litigation Powerhouse: Morrison & Foerster

Morrison & Foerster LLP's litigators have helped drugmaker Sandoz bring a generic multiple sclerosis treatment to market, forced a \$2.5 billion rate reduction in the Trans-Alaska Pipeline System and staved off a potentially disastrous class action against LinkedIn, earning it a spot on Law360's list of Litigation Powerhouses.

### Law360's Weekly Verdict: Legal Lions & Lambs

In a show of legal prowess, lawyers at Morrison & Foerster LLP won a favorable decision Tuesday from the Federal Circuit affirming a win for Apple in a lawsuit over a data recovery-related patent, while disgraced Pennsylvania Attorney General Kathleen Kane secured a spot as this week's top legal lamb following her conviction Monday on perjury charges.

### 3 GCs Who Blew The Whistle On Their Companies

Whistleblower and anti-retaliation rules have empowered several employees to call out corporate wrongdoing, and for the in-house counsel with deep insight into both the company's actions and the bounds of the law, it's a right and a responsibility. But it isn't always easy. Here are three in-house attorneys who say they paid the price for coming forward.

### III. Judge Could Face Charges After Letting Clerk Don Robes

An Illinois state judge for the Cook County Circuit Court was removed from the bench Wednesday after she allegedly allowed a law clerk to wear her judicial robes and rule on two cases.

### Midmarket Firm Bumps New Atty Salary To \$170K

New York-based firm Morrison Cohen LLP said Thursday that it will begin offering its first-year associates increased salaries of \$170,000 come September, proving that even firms focused on serving the middle market are not immune to the salary pressure caused by Cravath Swaine & Moore LLP.

### Rainmaker Q&A: Bird Marella's Mark Dooks

Building and preserving a reputation for excellence and integrity is the first priority for generating business and, at the end of the day, it is the thing we need to attend to unrelentingly every day, says Mark Dooks, a principal at Bird Marella Boxer Wolpert Nessim Dooks Lincenberg & Rhoads PC.

## JOBS

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## LAW FIRMS

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Morrison & Foerster  
Akin Gump  
Baker Botts  
BakerHostetler  
Balch & Bingham  
Bird Marella  
Bone McAllester  
BuckleySandler  
Cooley  
Cravath Swaine  
Dentons  
Dowd Bennett  
Earthjustice  
Foley & Lardner  
Gibson Dunn  
Goodwin Procter  
Greenberg Traurig  
Hartline Dacus  
Hemenway & Barnes  
Hogan Lovells  
Holland & Knight  
Husch Blackwell  
K&L Gates  
Kenyon & Kenyon  
Klinedinst  
Latham & Watkins  
Lieff Cabraser  
Loeb & Loeb  
Lowenstein Sandler  
Manion Gaynor  
Mayer Brown  
MoloLamken LLP  
Morrison Cohen  
Norton Rose Fulbright  
Nutter McClennen  
Pachulski Stang  
Patterson Belknap  
Paul Hastings  
Quinn Emanuel  
Schiff Hardin  
Schlossberg LLC  
Seyfarth Shaw  
Steptoe & Johnson LLP  
Stradley Ronon  
Stroock & Stroock  
Thompson & Knight  
Troutman Sanders  
Vinson & Elkins  
Weitz & Luxenberg  
Wilkinson Walsh  
WilmerHale

## COMPANIES

Sierra Club  
American Cable Association  
American Petroleum Institute Inc.  
Apple Inc.  
Bio-Rad Laboratories, Inc.  
Blue Shield of California  
BlueLinx Holdings, Inc.  
CenturyLink Inc.  
Chicago Bar Association  
Clorox Company  
Cognex Corporation  
Comcast Corporation  
Computer & Communications Industry Association  
Corrections Corporation of America  
DISH Network Corporation  
Facebook  
FanDuel Inc.  
Fidelity Investments  
Financial Industry Regulatory Authority Inc.  
Fitbit Inc.  
Frontier Communications Corporation  
General Motors  
Google Inc.  
Health Net, Inc.  
Hospira Inc.  
LinkedIn Corp.  
Lumber Liquidators Holdings, Inc.  
Luminant Generation Co. LLC  
Lyft Inc.  
Match.com Inc.  
Medtronic Inc.  
Microsoft Corporation  
National Telephone Cooperative Association  
NuVasive, Inc.  
Plains All American Pipeline, L.P.  
Public Knowledge  
SS Body Armor I Inc.  
San Francisco Bar Association  
Sotheby's  
Sumitomo Electric Industries Ltd.  
Teva Pharmaceutical Industries Limited  
The Boeing Company  
Turing Pharmaceuticals AG  
Verizon Communications  
Washington Post Co.  
Xcel Energy Inc

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U.S. Department of Justice

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U.S. Environmental Protection Agency  
Federal Communications Commission  
Securities and Exchange Commission  
Bureau of Land Management  
National Credit Union Administration  
U.S. Department of Defense  
U.S. Department of Transportation  
Council on Environmental Quality  
Equal Employment Opportunity Commission  
European Commission  
Executive Office of the President  
Federal Energy Regulatory Commission  
Federal Highway Administration  
Food and Drug Administration  
Idaho Transportation Department  
Illinois Environmental Protection Agency  
Illinois Supreme Court  
Judicial Conference of the United States  
Maritime Administration  
Massachusetts Department of Transportation  
National Labor Relations Board  
New York State Assembly  
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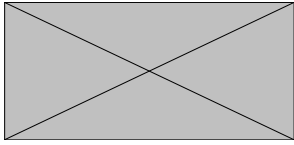
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 6/4/2018 7:22:48 AM  
**Subject:** Trump Subverts FERC With Coal, Nuke Plant Bailout Order



**PUBLIC POLICY.**

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**Monday, June 4, 2018**

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## TOP NEWS

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### Analysis

#### **Trump Subverts FERC With Coal, Nuke Plant Bailout Order**

President Donald Trump on Friday ordered Energy Secretary Rick Perry to take immediate steps to prop up struggling coal and nuclear power plants, a move experts say will not only unleash an avalanche of legal challenges but could also undermine the Federal Energy Regulatory Commission's authority over the nation's electric grid. [Read more »](#)

#### **As Piwowar Exits, Trump Taps Ex-Milbank Atty For SEC**

After U.S. Securities and Exchange Commission member Michael Piwowar announced last month that he'd be out by July, President Donald Trump nominated a former Milbank Tweed Hadley & McCloy LLP corporate and securities law attorney to a commission slot Friday. [Read more »](#)

#### **Trump To Nominate Williams & Connolly Alum As FCC Commish**

President Donald Trump intends to nominate Geoffrey Starks as the next Democratic FCC commissioner to fill the role recently vacated by Mignon Clyburn, according to a White House announcement Friday evening. [Read more »](#)

#### **HHS To Delay Drug Pricing Rule To July 2019**

A subagency of the U.S. Department of Health and Human Services is delaying a rule establishing ceiling prices on outpatient drugs under the 340B Drug Pricing Program and fines for violating manufacturers after finding it needs more time to reconsider certain details and that companies need time to adjust, according to a filing in the Federal Register on Friday. [Read more »](#)

#### **DOJ Launches Global Antitrust Enforcement Framework**

The U.S. Department of Justice hopes to standardize aspects of international antitrust enforcement through a voluntary framework set to launch next week, Makan Delrahim, assistant attorney general for the DOJ's Antitrust Division, said Friday. [Read more »](#)

#### **11th Circ. Modifies CSX's Sales Tax Win, Again**

The Eleventh Circuit on Thursday modified its opinion that Alabama taxes discriminate against rail carriers for a second time, to more closely reflect statutory language after state attorneys revealed that the Alabama Revenue Department has applied the language inconsistently in the past. [Read more »](#)

## BANKING & SECURITIES

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#### **SEC Delays Action On NYSE Bid To Ease Blank Check Rules**

The U.S. Securities and Exchange Commission on Thursday postponed deciding on a New York Stock Exchange proposal to ease listing rules for blank check companies, which are increasingly popular vehicles that conduct initial public

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### LAW FIRMS

Alston & Bird  
Andrus Anderson  
Arnold & Porter  
Babst Calland  
Baker Donelson  
BakerHostetler  
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Best Best & Krieger  
Blank Rome  
Bryan Cave  
Buchalter PC  
Cahill Gordon  
Choate  
Cozen O'Connor  
Cravath Swaine  
Culhane Meadows  
DLA Piper  
Dickstein Shapiro  
Duane Morris  
Fish & Richardson  
Gibson Dunn  
Greenberg Traurig  
Hinshaw & Culbertson  
Hogan Lovells  
Jenner & Block  
Jones Day  
Kelley Drye  
Kelly Hart  
Kiesel Law  
Kirkland & Ellis  
Latham & Watkins  
Manatt Phelps  
McCormick Law Firm  
McLaughlin & Stern

CLV001189

offerings strictly to fund acquisitions, saying it needs more time to consider the matter. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### EPA Must Cough Up Info On Pruitt's Climate Change Comment

A D.C. federal judge ruled Friday that the U.S. Environmental Protection Agency must fork over records underlying Administrator Scott Pruitt's statement on CNBC that carbon dioxide created by human activity is not a "primary contributor" to climate change, blasting its "excuses" for not giving them to an environmental group yet. [Read more »](#)

### 17 Govs. Reaffirm GHG Goals 1 Year After Trump's Paris Vow

A year after President Donald Trump announced he was reversing his predecessor's commitment to the Paris Agreement aimed at lowering climate change-causing greenhouse gas emissions, a coalition of 17 governors reaffirmed on Friday that they wanted to push toward the deal's goals anyway. [Read more »](#)

### Pa. Justices Won't OK Drilling In Town's Residential Area

Pennsylvania's highest court on Friday found that a hydraulic fracturing operation that a Lycoming County municipality agreed to allow in a residential and agricultural zoning district was incompatible with land uses permitted in the area. [Read more »](#)

### Pa. Justices Largely Preserve Fracking Rule Injunction

The Pennsylvania Supreme Court on Friday largely preserved a preliminary injunction won by an industry group that bars state environmental regulators from beginning to enforce controversial new rules governing hydraulic fracturing operations. [Read more »](#)

## HEALTH & LIFE SCIENCES

### NJ Enacts Law Targeting 'Surprise' Medical Bills

New Jersey Gov. Phil Murphy on Friday signed into law a Democrat-backed measure to ease the burden of health care costs by, among other things, requiring health care providers and insurers to provide consumers advance notice when a provider is out-of-network. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### Calif. OKs Self-Driving Cars For Passenger Pickups

California regulators on Thursday allowed self-driving cars to pick up ride-share passengers for the first time in the Golden State. [Read more »](#)

## COMPETITION

### DOJ Antitrust Deputy Touts Vertical Merger Bargaining Models

The U.S. Department of Justice Antitrust Division's chief economist said Friday at a conference at New York University's Stern School of Business that newer economic models that chart the bargaining power of merging companies help to find harm in vertical deals that older models missed. [Read more »](#)

### Common Ownership Not An Antitrust Problem: FTC Commish

Newly minted Federal Trade Commissioner Noah Joshua Phillips said Friday at a conference on antitrust economics that he does not believe there is enough evidence to warrant a policy shift over worries that the common ownership of stakes in competing companies by institutional investors creates an antitrust problem. [Read more »](#)

Milbank Tweed  
Morgan Lewis  
Morrison & Foerster  
Nixon Peabody  
O'Melveny & Myers  
Olivares  
Paul Hastings  
Paul Weiss  
Pepper Hamilton  
Perkins Coie  
Pietragallo Gordon  
Post & Schell  
Quinn Emanuel  
Ropes & Gray  
Scheper Kim  
Selendy & Gay  
Selman Breitman  
Skadden  
Smith Gambrell  
Steptoe & Johnson LLP  
Stoel Rives  
Sullivan & Cromwell  
Weil Gotshal  
Williams & Connolly  
WilmerHale  
Wilson Elser

## COMPANIES

AT&T Inc.  
Aerospace Industries Association  
American Bar Association  
American Civil Liberties Union  
American Immigration Council  
American Immigration Lawyers Association  
CSX Corporation  
Catholic Legal Immigration Network Inc.  
Chevron Corporation  
Chipotle Mexican Grill, Inc.  
Community Financial Corp.  
Council on Foreign Relations  
Digital Realty Trust Inc.  
Domino's Pizza Inc.  
Electronic Frontier Foundation  
Environmental Defense Fund Inc.  
Epic Systems Corp.  
Equifax Inc.  
Facebook  
Fordham University  
Gallup Inc.  
Garden City Group Inc.



## CYBERSECURITY & PRIVACY

### Colo. Enacts 'Groundbreaking' Data Breach Disclosure Law

Businesses in Colorado will soon face one of America's strictest data breach notification laws, including a requirement that they alert customers within 30 days of possible exposure of private data, part of newly enacted legislation some privacy attorneys are calling "groundbreaking." [Read more »](#)

### Advocates Decry Social Media Surveillance Of Visa Applicants

Nearly 50 advocacy organizations urged the U.S. Department of State to reject proposed changes to nonimmigrant and immigrant visa application forms that would allow the agency to collect social media information, arguing that they would undermine free speech rights and encourage discrimination based on national origin. [Read more »](#)

### Civil Rights Orgs Urge NSA To Release Call Detail Records

Two dozen civil liberties groups have asked that U.S. authorities provide a breakdown of the more than 540 million phone records collected by the National Security Agency last year, citing transparency rules in a 2015 law that scaled back the government's ability to collect American phone records in bulk. [Read more »](#)

## AEROSPACE & DEFENSE

### Aerospace Group Lays Out Arms Export Overhaul Proposals

The Aerospace Industries Association in a letter made public Friday urged U.S. Secretary of State Mike Pompeo to overhaul the process for defense exports, laying out a proposed plan for improvement while arguing the current process hurts U.S. competitiveness. [Read more »](#)

## IMMIGRATION

### Trans Immigrant Asks Justices To Review Name Change Law

A transgender immigrant man lawfully living in Indiana asked the U.S. Supreme Court on Thursday to review a Seventh Circuit decision holding that he cannot sue Indiana officials in federal court over a state law requiring name change applicants to prove their U.S. citizenship. [Read more »](#)

### NY Assembly Introduces Bill To Protect Immigrants At Courts

A bill introduced Thursday in the New York State Assembly would bar immigration officers from being able to make civil arrests at state courthouses if they did not possess a court order or a judicial arrest warrant. [Read more »](#)

### Rights Panel Urged To Take On Family Separations At Border

Immigration advocates urged the Inter-American Commission on Human Rights on Thursday to submit requests for the Trump administration to cease separating children from their families at the United States-Mexico border, filing a complaint on behalf of five parents. [Read more »](#)

## NATIVE AMERICAN

### Navajo Can't Take Part In Indian Child Welfare Act Challenge

A Texas federal judge on Friday declined the Navajo Nation's request to intervene in a suit brought by Texas and some foster families challenging the Indian Child Welfare Act, deciding that the tribe's interests were already represented by other tribes and the federal government. [Read more »](#)

## TELECOMMUNICATIONS

Goldman Sachs Group Inc.  
H&M  
HCP, Inc.  
Human Rights Campaign  
Immigrant Legal Resource Center  
Instagram Inc.  
International Association of Privacy Professionals  
Lockheed Martin  
Mexican American Legal Defense and Education Fund  
Microsoft Corporation  
NASDAQ OMX Group Inc.  
NYSE Holdings LLC  
National Association of Broadcasters  
National Collegiate Athletic Association  
National Consumer Law Center  
National Immigration Law Center  
New York Times Co.  
New York University  
Oxford University Press Ltd.  
PJM Interconnection LLC  
Securus Technologies Inc.  
State Street Corp.  
Steven Madden Ltd.  
Texas RioGrande Legal Aid Inc.  
The DIRECTV Group, Inc.  
Time Warner Inc.  
Twitter Inc.

## GOVERNMENT AGENCIES

Alabama Department of Revenue  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Labor Statistics  
Cabazon Band of Mission Indians  
California Public Utilities Commission  
California State Transportation Agency  
Cherokee Nation  
Consumer Financial Protection Bureau  
Equal Employment Opportunity Commission  
European Union  
Executive Office of the President  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Communications



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## Fla. Plan Swaps Prison Visits For Video Chats, Groups Say

Inmate rights groups are pushing back against a proposal by the Florida Department of Corrections that would slash weekend visiting hours and encourage families to use pricey video chat services instead. [Read more »](#)

## FCC's Small Cell Review Exemptions Pass Muster, GAO Says

The Government Accountability Office has signed off on a recent Federal Communications Commission rule exempting small cell fixtures, necessary for building up next-generation or 5G networks, from environmental and historic reviews. [Read more »](#)

## Startup Asks FCC To Make Rules For Internet Airships

A startup that wants to beam the next generation of mobile internet service down from airships hovering miles in the sky has asked the Federal Communications Commission to start writing the rules on how it would regulate such technology, arguing it could solve future demand for 5G. [Read more »](#)

## WHITE COLLAR

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## Whistleblower Allegedly Filed Doc Mocking Hastert Atty

Counsel for former U.S. Speaker Dennis Hastert told an Illinois federal judge on Thursday a would-be whistleblower who accused Hastert of misusing federal funds filed documents with the court in which he secretly altered Hastert's attorney Christian Poland's name to "Christina." [Read more »](#)

## Pa. High Court Drops Ex-Lawmaker's Appeal Of Conviction

The Pennsylvania Supreme Court on Friday changed its mind about its decision to hear an appeal by a convicted former Legislature leader who claims that his attorney botched his defense by failing to preserve testimony from a group of witnesses. [Read more »](#)

## EXPERT ANALYSIS

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## A Closer Look At New Federal 'Right To Try' Law

Recently signed into law by the president, the federal Right to Try Act creates a framework for patients to access investigational new drug products. But it comes in the wake of a majority of states passing their own "right to try" laws, creating the potential for a conflict between state laws, the U.S. Food and Drug Administration's expanded access regulations and federal statutes, say attorneys with Morgan Lewis & Bockius LLP. [Read more »](#)

## Still Looking For Clarity In DOD Information Security Rule

The U.S. Department of Defense recently issued guidance on its information safeguarding rule, but many believe the rule remains as clear as mud. There are some steps contractors can take to protect themselves from the unknown, say Jeniffer De Jesus Roberts and Katherine Veeder of Alston & Bird LLP. [Read more »](#)

## 2 Gambling Issues That May Change After Sports Bet Ruling

The U.S. Supreme Court's decision in Murphy is just the latest flip in America's roller-coaster treatment of gambling. This particular twist is likely to impact directly the fortunes of two groups somewhat improbably linked by their relationship to gambling — Native American tribes and the tiny Caribbean nation of Antigua and Barbuda, says David Jacoby of Culhane Meadows PLLC. [Read more »](#)

## Series

## Judging A Book: Wallach Reviews 'Uncivil Warriors'

"Uncivil Warriors: The Lawyers' Civil War," by Peter Hoffer, is a new book about the involvement of lawyers on both sides in the American Civil War. The discussion is

Commission

Federal Energy Regulatory Commission

Federal Trade Commission

Food and Drug Administration

Government Accountability Office

Health Resources and Services Administration

Kickapoo Traditional Tribe of Texas

National Institute of Standards and Technology

National Labor Relations Board

National Security Agency

National Security Council

Navajo Nation

New York State Assembly

Office of the Director of National Intelligence

Organization of American States

Pennsylvania Supreme Court

Securities and Exchange Commission

U.S. Attorney's Office

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of State

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Immigration and Customs Enforcement

U.S. Senate

U.S. Supreme Court

World Trade Organization

enlightening and often fascinating, but falls short in several key areas, says Federal Circuit Judge Evan Wallach. [Read more »](#)

## LEGAL INDUSTRY

### Feature

#### **LGBT Pride: Weighing The State Of Equality In The Law**

Every June, rainbow flags decorate storefronts and apparel across the U.S. in celebration of LGBT Pride Month. As the anniversary of the U.S. Supreme Court's trio of landmark LGBT rights rulings approaches, LGBT attorneys and legal industry leaders spoke with Law360 and shared what they think the industry does well and what it can do better for those within its ranks. [Read more »](#)

#### **Breyer Urges Law School Grads To Defend Rule Of Law**

U.S. Supreme Court Justice Stephen Breyer exhorted a class of New York Law School graduates at their commencement ceremony Friday afternoon to remain engaged in public life and to dedicate themselves to upholding faith in the rule of law, both for themselves and for myriad Americans who were not trained as lawyers. [Read more »](#)

#### **Steptoe Pay Bias Suit Headed To Arbitrator Post-Epic**

A California federal judge dismissed a former Steptoe & Johnson LLP associate's proposed pay equity class action against the firm on Thursday, after she and the firm agreed she must arbitrate her claims in light of the U.S. Supreme Court's recent decision allowing class action waivers in the workplace. [Read more »](#)

#### **Duane Morris, Hinshaw Partners Tapped For Calif. Bench**

California Democratic Gov. Jerry Brown on Friday announced 21 appointments to trial courts across the state, including a Duane Morris LLP partner with experience litigating technology, construction and insurance disputes, and a legal malpractice expert from Hinshaw & Culbertson LLP. [Read more »](#)

#### **Legal Jobs Slump In May As Sluggish 2018 Continues**

The legal services sector's employment struggles in 2018 continued into May, losing 200 jobs despite generally positive results for the nation's situation as a whole, the U.S. Bureau of Labor Statistics reported Friday. [Read more »](#)

### Feature

#### **In Remote Immigrant Detention Centers, It's Pro Bono Or Bust**

Absent a universal right to counsel, the availability of legal representation for noncitizens in immigration proceedings has hit a crisis point nationwide, but none are worse off than individuals detained in remote facilities. [Read more »](#)

### Feature

#### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

Attorneys said companies need to think twice before deciding it's too late to fill in compliance gaps for the European Union's sweeping General Data Protection Regulation, the Consumer Financial Protection Bureau and two payday lender trade groups joined together to ask a Texas federal judge to stay the groups' suit challenging the agency's so-called payday rule, and Law360 asked female attorneys what gender parity looks like in the legal industry. These are some of the stories in corporate legal news you may have missed in the past week. [Read more »](#)

#### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

### **JOBS**

[Search full listings](#) or [advertise your job opening](#)

#### **VP, State Relations**

Lincoln Financial Group  
Washington DC, District of Columbia

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## LAW FIRMS

Alston & Bird  
Cahill Gordon  
Gibson Dunn  
Hogan Lovells  
Jones Day  
Morgan Lewis  
Morrison & Foerster  
Perkins Coie  
Steptoe & Johnson LLP  
Andrus Anderson  
Arnold & Porter  
Babst Calland  
Baker Donelson  
BakerHostetler  
Ballard Spahr  
Best Best & Krieger  
Blank Rome  
Bryan Cave  
Buchalter PC  
Choate  
Cozen O'Connor  
Cravath Swaine  
Culhane Meadows  
DLA Piper  
Dickstein Shapiro  
Duane Morris  
Fish & Richardson  
Greenberg Traurig  
Hinshaw & Culbertson  
Jenner & Block  
Kelley Drye  
Kelly Hart  
Kiesel Law  
Kirkland & Ellis  
Latham & Watkins  
Manatt Phelps  
McCormick Law Firm  
McLaughlin & Stern  
Milbank Tweed  
Nixon Peabody  
O'Melveny & Myers  
Olivares  
Paul Hastings  
Paul Weiss  
Pepper Hamilton  
Pietragallo Gordon  
Post & Schell  
Quinn Emanuel  
Ropes & Gray

Scheper Kim  
Selendy & Gay  
Selman Breitman  
Skadden  
Smith Gambrell  
Stoel Rives  
Sullivan & Cromwell  
Weil Gotshal  
Williams & Connolly  
WilmerHale  
Wilson Elser

## COMPANIES

American Immigration Lawyers Association  
Facebook  
New York University  
AT&T Inc.  
Aerospace Industries Association  
American Bar Association  
American Civil Liberties Union  
American Immigration Council  
CSX Corporation  
Catholic Legal Immigration Network Inc.  
Chevron Corporation  
Chipotle Mexican Grill, Inc.  
Community Financial Corp.  
Council on Foreign Relations  
Digital Realty Trust Inc.  
Domino's Pizza Inc.  
Electronic Frontier Foundation  
Environmental Defense Fund Inc.  
Epic Systems Corp.  
Equifax Inc.  
Fordham University  
Gallup Inc.  
Garden City Group Inc.  
Goldman Sachs Group Inc.  
H&M  
HCP, Inc.  
Human Rights Campaign  
Immigrant Legal Resource Center  
Instagram Inc.  
International Association of Privacy Professionals  
Lockheed Martin  
Mexican American Legal Defense and Education Fund  
Microsoft Corporation  
NASDAQ OMX Group Inc.  
NYSE Holdings LLC  
National Association of Broadcasters  
National Collegiate Athletic Association  
National Consumer Law Center

National Immigration Law Center  
New York Times Co.  
Oxford University Press Ltd.  
PJM Interconnection LLC  
Securus Technologies Inc.  
State Street Corp.  
Steven Madden Ltd.  
Texas RioGrande Legal Aid Inc.  
The DIRECTV Group, Inc.  
Time Warner Inc.  
Twitter Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Communications Commission  
Securities and Exchange Commission  
Pennsylvania Supreme Court  
U.S. Department of Health and Human Services  
U.S. Department of State  
U.S. House of Representatives  
U.S. Senate  
European Union  
Executive Office of the President  
Federal Trade Commission  
Government Accountability Office  
National Labor Relations Board  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
Alabama Department of Revenue  
Bureau of Citizenship and Immigration Services  
Bureau of Indian Affairs  
Bureau of Labor Statistics  
Cabazon Band of Mission Indians  
California Public Utilities Commission  
California State Transportation Agency  
Cherokee Nation  
Consumer Financial Protection Bureau  
Equal Employment Opportunity Commission  
Federal Acquisition Regulatory Council  
Federal Bureau of Investigation  
Federal Energy Regulatory Commission  
Food and Drug Administration  
Health Resources and Services Administration  
Kickapoo Traditional Tribe of Texas  
National Institute of Standards and Technology  
National Security Agency  
National Security Council  
Navajo Nation  
New York State Assembly  
Office of the Director of National Intelligence

Organization of American States  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Immigration and Customs Enforcement  
World Trade Organization

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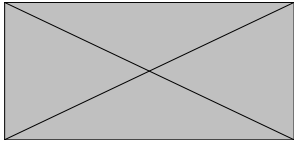
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CLV001197

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 11/27/2017 9:07:32 AM  
**Subject:** CFPB Deputy Director Sues Trump Over Mulvaney Appointment



**PUBLIC POLICY.**

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**Monday, November 27, 2017**

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## TOP NEWS

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### CFPB Deputy Director Sues Trump Over Mulvaney Appointment

The Consumer Financial Protection Bureau's deputy director late Sunday evening sued to block President Donald Trump from replacing her as acting director of the federal consumer finance watchdog with Mick Mulvaney. [Read more »](#)

### Trump, Cordray Throw CFPB Leadership Into Disarray

The Consumer Financial Protection Bureau was thrown into disarray Friday when outgoing Director Richard Cordray and President Donald Trump named different interim leaders for the bureau upon Cordray's departure. [Read more »](#)

#### Analysis

### Top Takeaways From The Net Neutrality Rollback Draft

The Federal Communications Commission has revealed the substance of its draft plan for reversing net neutrality protections that have been on the books since 2015. Here's what you need to know. [Read more »](#)

#### Analysis

### Charitable Gifts Could Plummet Under Republican Tax Plans

Despite retaining a deduction for charitable donations, efforts in the House and Senate to revamp the U.S. tax code likely would lead to a reduction in giving to charities and other nonprofits because the bills reduce incentives for taxpayers to take advantage of the benefit. [Read more »](#)

### US Trade Rep Worried NAFTA Talks Making No Headway

The fifth round of the North American Free Trade Agreement talks concluded on relatively peaceful terms Tuesday, with the parties vowing to continue their work and find a path forward for the 1994 pact, even as U.S. Trade Representative Robert Lighthizer said he remained "concerned about the lack of headway." [Read more »](#)

## BANKING & SECURITIES

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#### Analysis

### SEC Whistleblower Program Ain't Broke — So Don't 'Fix' It

The U.S. Securities and Exchange Commission's whistleblower program, now entering its seventh year, is maturing and gaining momentum, according to an agency report released Nov. 17, and whistleblower attorneys say they hope the Trump administration recognizes its value by staying out of the SEC's way. [Read more »](#)

### CFTC Sees Steep Drop In Enforcement Actions In 2017

The U.S. Commodity Futures Trading Commission on Wednesday announced that it had imposed nearly \$413 million in sanctions in fiscal 2017, less than half of the penalties issued in the previous fiscal year and the lowest since 2011. [Read more »](#)

[Listen to our new podcast here](#)

#### LAW FIRMS

Akin Gump  
BakerHostetler  
Ballard Spahr  
Beveridge & Diamond  
Bingham McCutchen  
Blank Rome  
Boies Schiller  
Brownstein Hyatt  
Carlton Fields  
Choate  
Cooley  
Covington & Burling  
Cravath Swaine  
Davis Polk  
Davis Wright Tremaine  
Dentons  
Dewey & LeBoeuf  
Dickinson Wright  
Dickstein Shapiro  
Dykema Gossett PLLC  
Earthjustice  
Faegre Baker  
Foley & Lardner  
Frankfurt Kurnit  
Gibson Dunn  
Goldstein & Russell  
Greenspoon Marder  
Gupta Wessler  
Harris Wiltshire  
Haynes and Boone  
Hinshaw & Culbertson  
Hogan Lovells  
Husch Blackwell  
Jones Day  
Keller and Heckman

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## ENERGY & ENVIRONMENTAL

### Analysis

#### 4 Tips For Young Enviro Attorneys

Students and early-career attorneys looking to carve out a career in environmental law face a competitive marketplace and a legal landscape that's in flux thanks to the Trump administration's commitment to rolling back regulations, but experts say there are several ways for up-and-coming environmental lawyers to gain traction in the field. [Read more »](#)

### Analysis

#### Trump's Energy Plans Still Hamstrung By EPA, DOI Vacancies

President Donald Trump has made rolling back energy and environmental regulations to boost energy development a priority. But 10 months into his presidency, there are still plenty of vacancies in politically appointed positions at agencies responsible for carrying out the deregulatory push. [Read more »](#)

#### 11 AGs Say National Park Fee Hikes Flout Federal Law

Doubling entry fees at the country's most popular national parks would make them "places only for the wealthy," 11 state attorneys general warned the Trump administration in a letter Wednesday, saying a proposal to fund overdue maintenance would flout the Federal Lands Recreation Enhancement Act and deepen racial and economic divides. [Read more »](#)

## HEALTH & LIFE SCIENCES

#### NH Hospitals Fight To Keep CMS Suit Win At 1st Circ.

New Hampshire hospitals pressed the First Circuit to uphold a ruling against the Centers for Medicare & Medicaid Services for altering a reimbursement policy in a frequently-asked-questions document, telling the appeals court that the agency flouted the normal rulemaking process and exceeded its legal authority. [Read more »](#)

#### Florida Sued For Dragging Feet On Medical Pot Licenses

A plant nursery and a man who has epilepsy have filed suit alleging it's high time for the Florida Department of Health to comply with a state constitutional amendment requiring it to license more medical marijuana treatment centers, saying the agency's refusal to do so is depriving patients of necessary medication. [Read more »](#)

## MEDIA & ENTERTAINMENT

#### FCC To Rethink Broadcast Ownership Cap Next Month

The Federal Communication Commission on Tuesday announced a plan to review and possibly modify or eliminate regulations that keep in check the percentage of national broadcast audience a company's television stations can reach, a move critics have ripped as paving the way for unhealthy media consolidation. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

### Analysis

#### Evolving Tech Drives New Risks For Transpo Cos.

Technological advancements and changing consumer demands are forcing transportation companies to streamline their operations to stay competitive, and experts warn that adapting to the changing landscape means tackling new legal risks. Here, Law360 examines some emerging technology in the transportation sector. [Read more »](#)

Kirkland & Ellis  
Kohn Kohn  
Milbank Tweed  
Mitchell Silberberg  
Morgan Lewis  
Nixon Peabody  
Novak Druce  
Orrick Herrington  
Pepper Hamilton  
Perkins Coie  
Polsinelli  
Quinn Emanuel  
RatnerPrestia  
Riker Danzig  
Riley Safer  
Ropes & Gray  
Sedgwick LLP  
Simpson Thacher  
Siskind Susser  
Skadden  
Snell & Wilmer  
Squire Patton Boggs  
Step toe & Johnson LLP  
Stris & Maher  
Troutman Sanders  
Williams & Connolly  
WilmerHale  
Wood LLP  
Zuckerman Law

### COMPANIES

AAR Corporation  
AT&T Inc.  
Alliance of Automobile  
Manufacturers  
American Civil Liberties Union  
American Enterprise Institute  
American Immigration Lawyers  
Association  
Arctic Slope Regional Corp.  
Association of American Railroads  
Boston Consulting Group  
Cable News Network Inc.  
Capital Health System Inc.  
Cato Institute  
CenturyLink Inc.  
Citigroup Inc.  
Comcast Corporation  
Credit Karma Inc.  
Cushman & Wakefield Inc.  
Deloitte Touche  
Digital Realty Trust Inc.



## Railroads Claim Clause Derails Entire Amtrak Metrics Law

Freight railroads have slammed the government's bid to have the D.C. Circuit preserve a federal statute allowing Amtrak to set performance and scheduling standards along the nation's passenger railways, saying trimming an arbitration provision in the law wouldn't suddenly make it constitutionally valid. [Read more »](#)

## EMPLOYMENT

### DOL Pushes Back Injury Reporting Rule By 2 Weeks

The U.S. Department of Labor's workplace safety office on Wednesday pushed back by two weeks a December deadline by which employers must log workplace injuries and illnesses in a new online reporting system created by the Obama administration. [Read more »](#)

### Ex-NJ Court Worker Wins Discovery Bid In Whistleblower Suit

A New Jersey state appeals court on Wednesday ruled that a former state judiciary employee is entitled to certain documents in his lawsuit against the Camden County vicinage over his termination, saying a recent New Jersey Supreme Court decision reaffirmed the state's broad civil discovery access. [Read more »](#)

## PRIVACY & CYBERSECURITY

### Analysis

#### Bumpy Ride Ahead For Uber After Data Breach

Heavy legal traffic lies ahead for Uber as the ride-sharing giant reckons with fallout from a massive hack that exposed personal data of 57 million users worldwide. The \$70 billion company is at risk for enforcement actions in the U.S and around the globe for waiting over a year to disclose an October 2016 breach that the company paid hackers \$100,000 to keep quiet. [Read more »](#)

#### New Law Moots Freedom Watch's NSA Lawsuits: Judge

A D.C. federal judge dismissed two lawsuits filed in 2013 by the founder of conservative advocacy group Freedom Watch Inc. against the National Security Agency, ruling Tuesday that a 2015 law barring its indiscriminate bulk metadata collection programs mooted the lawsuits' request for injunctive relief. [Read more »](#)

## GOVERNMENT CONTRACTS

### Gov't Watchdog Criticizes OMB's Oversight Of IT Investments

A government watchdog agency took exception Tuesday to the way the Office of Management and Budget conducts oversight on critical information-technology investments from the government, saying the office was too slow in releasing required reports, among other critiques. [Read more »](#)

## INTERNATIONAL TRADE

### Analysis

#### What NAFTA Renegotiating Objectives Mean For Arbitration

Updated renegotiation objectives for the North American Free Trade Agreement that the Trump administration released in recent days have provided more insight into its stance on investment arbitration. Here, Law360 lays out what you need to know. [Read more »](#)

#### GAO Says DHS Uniforms Mostly Foreign-Made, Despite Policy

Despite a statutory requirement that the U.S. Department of Homeland Security purchase uniforms and body armor made by U.S. manufacturers, exemptions to the policy mean that DHS and its component agencies actually get the majority of their uniforms from foreign sources, the U.S. Government Accountability Office said on

Electronic Frontier Foundation

Facebook

Federalist Society

Global Automakers

Google Inc.

Hearst Corp.

Home Box Office Inc.

Intel Corporation

International Business Machines Corporation

LifeLock Inc.

Lippman Jungers LLC

Microsoft Corporation

NBCUniversal Inc.

National Association of Realtors

National Conference of State Legislatures

National Employment Law Project

National Employment Lawyers Association

National Federation of Independent Business

NeuStar, Inc.

New York University

Oil States International Inc.

Public Knowledge

Robert Half International Inc.

SAS Institute

Sierra Club

Sinclair Broadcast Group, Inc.

TBS International Limited

Tribune Media Co.

Twitter Inc.

U.S. Chamber of Commerce

Uber Technologies Inc.

Verizon Communications

Warner Bros.

Zeughauser Group LLC

eBay Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Citizenship and Immigration Services

Bureau of Land Management

Bureau of Reclamation

Centers for Medicare & Medicaid Services

Central Intelligence Agency

Commodity Futures Trading Commission

Consumer Financial Protection Bureau

Tuesday. [Read more »](#)

## TAX

### Analysis

#### Cities And States Brace For Loss Of SALT Deductions

As the work of reforming the federal tax code took a temporary timeout for Thanksgiving, opponents of legislation that would fully or partly eliminate deductions for state and local taxes didn't let up in their fight, despite increasingly long odds they would succeed in changing lawmakers' minds when they return from their break. [Read more »](#)

### Analysis

#### Treasury Turns Page On Errant Move To Hire Private Attys

The U.S. Treasury Department recently announced that it would amend the tax rules to bar outside attorneys from participating in taxpayer examinations, ending an ill-conceived experiment in which the IRS shocked the tax bar by hiring a high-profile commercial law firm to take on Microsoft Corp. in court. [Read more »](#)

## IMMIGRATION

### Analysis

#### Calif. Ruling Sets Chicago Up For Win In Sanctuary City Fight

After a California federal judge barred the Trump administration from tying federal funding to compliance with its immigration policies, experts say Chicago seems primed for a win at the Seventh Circuit as it defends its case challenging new conditions on federal public safety funds. [Read more »](#)

### Analysis

#### What To Know About USCIS's New Policy On Revocations

In a notable policy shift, U.S. Citizenship and Immigration Services will now let certain immigrants take part in visa petition revocation proceedings, giving them a voice in a process that has the potential to hurt their green card case. Here's what to know about the new policy change. [Read more »](#)

#### Intel, Lawmakers, Others Urge 9th Circ. To Block Travel Ban

Technology companies such as Microsoft and Intel, several law groups and dozens of members of Congress were among the entities that filed briefs with the Ninth Circuit on Tuesday and Wednesday supporting challengers to the Trump administration's proposed travel ban for nationals of several predominantly Muslim countries into the U.S. [Read more »](#)

#### Senate Panel Unveils Homeland Security Funding Bill

The Senate Appropriations Committee on Tuesday released a budget bill for the U.S. Department of Homeland Security, with the legislation allocating money for "border barriers" and funds for more border patrol agents. [Read more »](#)

#### Mexican Detained For Over A Year Must Get Bond Hearing

The federal government must provide a bond hearing before an immigration judge for a Mexican native kept in detention for more than a year after his apprehension for allegedly illegally re-entering the U.S. after being removed four previous times, a California federal judge ruled on Tuesday. [Read more »](#)

## TELECOMMUNICATIONS

#### FCC Not Cooperating In 'Fake' Comments Probe, NY AG Says

New York Attorney General Eric Schneiderman blasted the Federal Communications Commission in a letter Tuesday, saying the agency has refused to cooperate in an investigation into allegedly false comments on its upcoming net

European Union

Executive Office of the President

Federal Acquisition Regulatory Council

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Railroad Administration

Federal Trade Commission

Financial Stability Oversight Council

Fish and Wildlife Service

Florida Department of Health

Florida State Senate

Government Accountability Office

NAFTA

National Highway Traffic Safety Administration

National Park Service

National Railroad Passenger Corporation

National Security Agency

New Hampshire Department of Health & Human Services

New Jersey Attorney General's Office

New York Attorney General's Office

Occupational Safety and Health Administration

Office of the U.S. Trade Representative

Securities and Exchange Commission

Surface Transportation Board

Transportation Security Administration

U.S. Army

U.S. Attorney's Office

U.S. Customs and Border Protection

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Transportation

U.S. Environmental Protection Agency

U.S. Immigration and Customs Enforcement

CLV001201

neutrality order. [Read more »](#)

## EXPERT ANALYSIS

### DOJ Guidance Is Dead, Long Live DOJ Guidance

Comments in a recent speech by U.S. Attorney General Jeff Sessions appeared to kill much-needed U.S. Department of Justice guidance for companies. But a closer look reveals that this interpretation is likely a misunderstanding, says David Chaiken of Troutman Sanders LLP. [Read more »](#)

### Future MACRA Concerns For Hospitals And Health Systems

In the process of reforming physician Medicare reimbursement Congress and the Centers for Medicare & Medicaid Services have created an interesting juncture in the health care landscape, as one of the real and lasting impacts of the Medicare Access and CHIP Reauthorization Act may well be the formation of new alignments between physicians and hospitals and health systems, say Deborah Kantar Gardner and Peter Holman at Ropes & Gray LLP. [Read more »](#)

### What's Next After Calif. Homeowner Bill Of Rights Sunsets

On Jan. 1, 2018, certain provisions of the California Homeowner Bill of Rights are scheduled to expire. This will cause several changes in the requirements for those servicing large portfolios of resident mortgage loans, but servicers will undoubtedly continue to see similar claims in 2018 and beyond, says Ashley Fickel of Dykema Gossett PLLC. [Read more »](#)

## LEGAL INDUSTRY

### Analysis

#### How Associate Bonuses May Highlight BigLaw's Profit Gap

In past years, many BigLaw firms have played follow-the-leader in matching associate bonuses to those set by the most profitable firms, but as law firm profit gaps grow, experts say it's likely that bonuses at less profitable firms will remain on trend with past years even as their counterparts up the ante for a select few associates. [Read more »](#)

### Analysis

#### 'Mass Lateral' Moves No Silver Bullet For Beleaguered Firms

BigLaw firms at risk of insolvency may find plenty to like about a "mass lateral" move to a competitor in lieu of a full wind-down, one of several routes that Sedgwick LLP has considered in the lead-up to its planned closure. However, choosing to walk away from the business rather than seek bankruptcy carries its own set of complications, as evidenced by the ongoing fallout from Novak Druce's dissolution. [Read more »](#)

### Analysis

#### Cushman Exec Sees Law Firms 'Waking Up' To A New Reality

Law firms have lagged behind sectors like technology and health care in downsizing and modernizing their real estate footprints, but firms recently have been making changes as they too try to woo millennials, Cushman & Wakefield Executive Managing Director and legal sector expert Sherry Cushman told Law360 in a recent interview. [Read more »](#)

### Up Next At High Court: AIA Reviews & Whistleblower Shields

The Supreme Court returns to the bench Monday for one of the busiest weeks of oral arguments since the term began, hearing a pair of cases that could turn the patent world on its head and others with broad implications for securities plaintiffs and whistleblowers. [Read more »](#)

### GC Cheat Sheet: The Hottest Corporate News Of The Week

The Trump administration asked the U.S. Supreme Court to reverse blocks on its third travel ban, Senior Judge Richard J. Leon took on the U.S. Department of Justice's challenge of AT&T's planned Time Warner purchase, and Credit Karma's

U.S. Office of Personnel  
Management  
U.S. Secret Service  
U.S. Supreme Court  
World Trade Organization

Susannah Wright discussed with Law360 the challenges of being the general counsel of a young, disruptive company. These are some of the top stories in corporate legal news you may have missed in the past week. [Read more »](#)

### **UK Must Take Action To Preserve Legal Sector Post-Brexit**

The U.K. legal industry currently accounts for 7 percent of the world's legal services fee revenue, according to a Wednesday report that warns government officials that action must be taken in order to ensure the industry's continued strength following Britain's exit from the European Union. [Read more »](#)

#### **Podcast**

### **Law360's Pro Say: Our Funniest Stories Revisited**

On the latest episode of Law360's Pro Say podcast, we revisit some of the funniest stories we've discussed this year, including Ninth Circuit oral arguments over a monkey selfie, legal trouble following a comedy duo's appearance on a morning show, Meat Loaf being hit with a copyright infringement suit, and lobster poaching. [Read more »](#)

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

#### **JOBS**

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#### **LAW FIRMS**

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Hogan Lovells  
Jones Day  
Kirkland & Ellis  
Morgan Lewis  
Ballard Spahr  
Boies Schiller  
Foley & Lardner  
Haynes and Boone  
Quinn Emanuel  
Ropes & Gray  
Sedgwick LLP  
Skadden  
Steptoe & Johnson LLP  
Akin Gump  
BakerHostetler  
Beveridge & Diamond  
Bingham McCutchen  
Blank Rome  
Brownstein Hyatt  
Carlton Fields  
Choate  
Cooley  
Covington & Burling  
Cravath Swaine  
Davis Polk  
Davis Wright Tremaine  
Dentons  
Dewey & LeBoeuf

Dickinson Wright  
Dickstein Shapiro  
Dykema Gossett PLLC  
Earthjustice  
Faegre Baker  
Frankfurt Kurnit  
Goldstein & Russell  
Greenspoon Marder  
Gupta Wessler  
Harris Wiltshire  
Hinshaw & Culbertson  
Husch Blackwell  
Keller and Heckman  
Kohn Kohn  
Milbank Tweed  
Mitchell Silberberg  
Nixon Peabody  
Novak Druce  
Orrick Herrington  
Pepper Hamilton  
Perkins Coie  
Polsinelli  
RatnerPrestia  
Riker Danzig  
Riley Safer  
Simpson Thacher  
Siskind Susser  
Snell & Wilmer  
Squire Patton Boggs  
Stris & Maher  
Troutman Sanders  
Williams & Connolly  
WilmerHale  
Wood LLP  
Zuckerman Law

#### COMPANIES

AT&T Inc.  
Cable News Network Inc.  
Comcast Corporation  
Digital Realty Trust Inc.  
Google Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Verizon Communications  
AAR Corporation  
Alliance of Automobile Manufacturers  
American Civil Liberties Union  
American Enterprise Institute  
American Immigration Lawyers Association  
Arctic Slope Regional Corp.

Association of American Railroads  
Boston Consulting Group  
Capital Health System Inc.  
Cato Institute  
CenturyLink Inc.  
Citigroup Inc.  
Credit Karma Inc.  
Cushman & Wakefield Inc.  
Deloitte Touche  
Electronic Frontier Foundation  
Facebook  
Federalist Society  
Global Automakers  
Hearst Corp.  
Home Box Office Inc.  
Intel Corporation  
International Business Machines Corporation  
LifeLock Inc.  
Lippman Jungers LLC  
Microsoft Corporation  
NBCUniversal Inc.  
National Association of Realtors  
National Conference of State Legislatures  
National Employment Law Project  
National Employment Lawyers Association  
National Federation of Independent Business  
NeuStar, Inc.  
New York University  
Oil States International Inc.  
Public Knowledge  
Robert Half International Inc.  
SAS Institute  
Sierra Club  
Sinclair Broadcast Group, Inc.  
TBS International Limited  
Tribune Media Co.  
Uber Technologies Inc.  
Warner Bros.  
Zeughauser Group LLC  
eBay Inc.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
Executive Office of the President  
Federal Trade Commission  
U.S. Department of Homeland Security  
Federal Communications Commission  
Securities and Exchange Commission  
U.S. Immigration and Customs Enforcement  
U.S. Supreme Court  
Bureau of Citizenship and Immigration Services

Centers for Medicare & Medicaid Services  
Consumer Financial Protection Bureau  
Government Accountability Office  
NAFTA  
National Security Agency  
Transportation Security Administration  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Transportation  
Army Corps of Engineers  
Bureau of Land Management  
Bureau of Reclamation  
Central Intelligence Agency  
Commodity Futures Trading Commission  
European Union  
Federal Acquisition Regulatory Council  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Railroad Administration  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Florida Department of Health  
Florida State Senate  
National Highway Traffic Safety Administration  
National Park Service  
National Railroad Passenger Corporation  
New Hampshire Department of Health & Human Services  
New Jersey Attorney General's Office  
New York Attorney General's Office  
Occupational Safety and Health Administration  
Office of the U.S. Trade Representative  
Surface Transportation Board  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Labor  
U.S. Environmental Protection Agency  
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U.S. Secret Service  
World Trade Organization

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**To:** Gwen Migita[gmigita@Caesars.com]  
**Cc:** Esthefany Arochi[earochi@LasVegasNevada.GOV]; Ana Diaz[diaza@rtcsnv.com]; Bernadette Goodemote[bgoodemote@vegaspbs.org]; Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]; Ingrid Reisman[ingrid@lvmonorail.com]; Jennifer Simich[jsimich@republicservices.com]; Marie Coleman[M3990C@lvmpd.com]; Nancy Chavez[chavezn@cityofnorthlasvegas.com]; Sasha Larkin[S6234L@LVMPD.COM]; Teresa Morrell[tmorrell@LasVegasNevada.GOV]; Tina Quigley[quigleyt@rtcsnv.com]; Tom Axtell[Taxtell@vegaspbs.org]; Tom Perrigo[tperrigo@LasVegasNevada.GOV]; Yalmaz Siddiqui[ysiddiqui@mgmresorts.com]; Clinton Pope[clinton@cbpstrategies.com]; Dave Ray[dave@grnvision.com]; Dr. Halleh Seddighzadeh[Halleh@arman.org]; Jason Bailey[jason.bailey@lvvwd.com]; Lora Picini[lpicini@caesars.com]; Marco Velotta[mvelotta@LasVegasNevada.GOV]; Mule, Elaina[Elaina.Mule@schwabbank.com]; Namita Koppa[nkoppa@LasVegasNevada.GOV]; Rae Lathrop[lathrop@rtcsnv.com]; Scott Newcomb[snewcomb@lvca.com]; Shane Ammerman[sla@ClarkCountyNV.gov]; Shields, Henry[hshields@mgmresorts.com]; Shields, Henry[jshields@mgmresorts.com]; Tim Farkas[tfarkas@ameresco.com]  
**From:** Lauren Boitel  
**Sent:** Mon 5/20/2019 9:05:36 PM  
**Subject:** Board and Trustee Commitment Forms and Sponsorship packet  
[ImpactNV TAB Commitment Form-Apr 2019.docx](#)  
[ImpactNV BOD Commitment Form-Apr 2019.docx](#)  
[ImpactNV Sponsorship Levels-2019.pdf](#)

## EXTERNAL EMAIL

Thank you Gwen,

Attached for all board and trustee members are the commitment forms as well as the current annual sponsorship package. The goal is to increase and improve board member participation and active engagement and to make board expectations very clear and concise so everyone is on the same page. The big push with the sponsorship packet right now is funding the State of Sustainability report and ConveneNV. Please return commitment forms to me by the end of June.

Thank you,  
Lauren

On Thu, May 16, 2019 at 9:52 PM Gwen Migita <[gmigita@caesars.com](mailto:gmigita@caesars.com)> wrote:

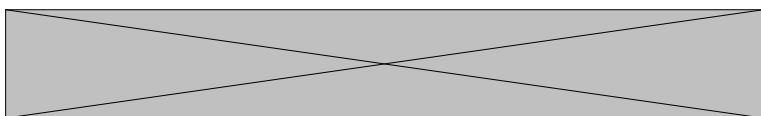
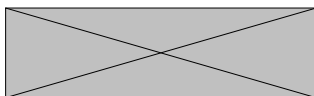
Thank you Lauren and Trustees and Board who made the meeting today. We do have several outcomes and changes/asks moving forward which entail all signing an updated Board and Trustee agreement with 75% in person meeting and other expectations. Also that each of us send the sponsor packet for the sustainability report and ConveneNV to 5 prospects each- with a \$100k targeted raised in the next two months. We will also go back to separating the Trustee and Board meetings w quarterly for Trustee and monthly for Board.

Please connect with me or Clinton with questions and concerns.

Thank you!

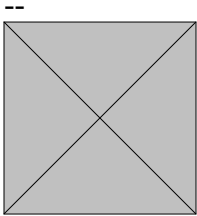
Gwen

**Gwen Migita** | Global Lead - Social Impact, Equity & Sustainability  
O 702-880-4757  
One Caesars Palace Drive | Las Vegas, NV 89109  
[www.caesars.com](http://www.caesars.com)



CLV001208

> On May 16, 2019, at 3:03 PM, Lauren Boitel <[director@greenchips.org](mailto:director@greenchips.org)> wrote:  
>  
> <Full Board Packet-May-2019.pdf>  
> <Best Practices for Sub Boards-531789.pdf>  
> <Harassment Policy.pdf>  
> <Whistleblower Protection.pdf>  
> <Addendum to ImpactNV Bylaws - 2018-10-3-5.pdf>



***Lauren Boitel***  
**Executive Director**  
ImpactNV  
4220 S Maryland Parkway, Ste 205  
Las Vegas NV 89119  
c: 702.460.7047  
[director@greenchips.org](mailto:director@greenchips.org)  
[greenchips.org](http://greenchips.org)

Green Chips is registered with the State of Nevada as a nonprofit 501(c)(3). Your donation may be tax deductible pursuant to the provisions of section 170(c) of the Internal Revenue Code of 1986.



## **Green Chips dba ImpactNV Trustee Advisory Board Commitment**

### **Purpose and Duties of the Trustee Advisory Board (TAB):**

The function of the TAB is to receive information on the current status of the Organization, promote the mission of the Organization, provide programmatic and visionary guidance to the BOD, provide recommendations to the BOD, provide oversight and involvement in significant projects, provide final affirmation of key documents and policies approved by the Board of Directors; and guide in the growth, importance, and recognition of the Organization. The TAB is prohibited from taking any actions reserved for the authority of the BOD. It is the intent of these Bylaws that Trustees be noted and distinguished members of both public and private sectors within the State of Nevada.

**\* I understand my financial commitment is necessary to ensure the success of ImpactNV, and that Trustee members have a give and get requirement of \$5,000.**

- My company/organization will participate in the following ways this year:
  - \_\_\_\_\_ Tickets to ConveneNV 2019 (\$50 ticket) \$ \_\_\_\_\_
  - \_\_\_\_\_ Annual Sponsorship (\$1,000 to \$25,000) \$ \_\_\_\_\_
- In order to achieve 100% participation of the board, I personally pledge (no minimum -an amount meaningful to you) \$ \_\_\_\_\_

**\* As a member of the Trustee Advisory Board, I agree to be engaged with the following committee(s) this year** (stay up to date on meeting minutes, participate when able, actively engage in programming and sponsorship needs from the BOD, etc.):

- |  |   |
|--|---|
| * Environment                                | * Homelessness                                  |
| * Economy                                    | * Immigrant Integration                         |
| * ConveneNV                                  | * Executive Committee (for executive team only) |
| * State of Sustainability Report             | * Other _____                                   |
| * Trafficking<br>(suggestion for BOD review) |   |

**\* I would like to help with other donor identification, cultivation, and stewardship** (check all that apply):

- \* Host a cultivation event at my home or workplace
- \* Make thank you calls to donors
- \* Add personal notes to solicitations or thank-you's (twice per year)
- \* Bring colleagues, friends, or family to cultivation events
- \* Set-up meetings with 3 or more potential donors

**\* I understand that Trustee Advisory Board meeting attendance is key to the success of the Board and organization and 75% in person attendance of quarterly Board meetings is a requirement for Board membership.**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_



## 2019 Sponsorship Opportunities

### **Presenting Sponsor of 2019 ConveneNV - \$15,000**

- \* Logo and website link on ImpactNV website year-round
- \* Rotating logo and message on ImpactNV website homepage
- \* Logo in ImpactNV newsletters and in 2019 State of Sustainability Report
- \* Feature story in one ImpactNV newsletter
- \* Logo listed on Sponsor Board at all ImpactNV events
- \* ImpactNV logo use in joint marketing/public relations efforts
- \* Five (5) registrations to 2019 ConveneNV
- \* Ten (10) VIP tickets to 2019 ConveneNV 10<sup>th</sup> Anniversary Celebration
- \* Inside front cover or inside back cover of the 2019 ConveneNV program book
- \* Feature story in 2019 ImpactNV State of Sustainability Report
- \* Opportunity to introduce the keynote speaker at 2019 ConveneNV as Presenting Sponsor
- \* Recognition from podium at 2019 ConveneNV
- \* Logo recognition at 2019 Ignite Equality
- \* Four (4) VIP tickets to 2019 Ignite Equality

### **Presenting Sponsor of 2019 State of Sustainability Report - \$15,000**

- \* Logo and website link on ImpactNV website year-round
- \* Rotating logo and message on ImpactNV website homepage
- \* Logo in ImpactNV newsletters and in 2019 State of Sustainability Report
- \* Feature story in one ImpactNV newsletter
- \* Logo listed on Sponsor Board at all ImpactNV events
- \* ImpactNV logo use in joint marketing/public relations efforts
- \* Five (5) registrations to 2019 ConveneNV
- \* Ten (10) VIP tickets to 2019 ConveneNV 10<sup>th</sup> Anniversary Celebration
- \* Inside front cover or inside back cover of the 2019 ConveneNV program book
- \* Feature story in 2019 ImpactNV State of Sustainability Report
- \* Opportunity to write introductory letter in 2019 ImpactNV State of Sustainability Report as Presenting Sponsor
- \* Recognition from podium at 2019 ConveneNV
- \* Logo recognition at 2019 Ignite Equality
- \* Four (4) VIP tickets to 2019 Ignite Equality

**Presenting Sponsor of ConveneNV 10<sup>th</sup> Anniversary Celebration - \$10,000**

- \* Opportunity to welcome attendees from the podium
- \* Logo and website link on ImpactNV website year-round
- \* Rotating logo and message on the ImpactNV website homepage
- \* Logo listed in ImpactNV newsletters
- \* Logo listed in ImpactNV 2019 State of Sustainability Report
- \* Logo listed on Sponsor Board at all ImpactNV events
- \* ImpactNV logo use in joint marketing/public relations efforts
- \* Four(4) registrations to 2019 ConveneNV
- \* Eight(8) VIP tickets to 2019 ConveneNV 10<sup>th</sup> Anniversary Celebration
- \* Full-page advertisement in the 2019 ConveneNV programbook
- \* Logo recognition at 2019 Ignite Equality
- \* Two(2) VIP tickets to 2019 Ignite Equality

**Sponsor of a 2019 ConveneNV 10<sup>th</sup> Anniversary Award - \$5,000**

- \* Opportunity to present an award from the podium
- \* Logo and website link on ImpactNV website year-round
- \* Logo listed in ImpactNV newsletters
- \* Logo listed in ImpactNV bi-annual State of Sustainability Report
- \* Logo listed on Sponsor Board at all ImpactNV events
- \* ImpactNV logo use in joint marketing/public relations efforts
- \* Three(3) registrations to ConveneNV
- \* Six(6) VIP tickets to ConveneNV 10<sup>th</sup> Anniversary Celebration
- \* Half-page advertisement in the 2019 ConveneNV programbook
- \* Name recognition at 2019 Ignite Equality

**Sponsor of 2019 ConveneNV Summit Session or Registration Area - \$3,000**

- \* Logo and website link on ImpactNV website year-round
- \* Logo listed in ImpactNV newsletters
- \* Logo listed in ImpactNV 2019 State of Sustainability Report
- \* Logo listed on Sponsor Board at all ImpactNV events
- \* ImpactNV logo use in joint marketing/public relations efforts
- \* Two(2) registrations to 2019 ConveneNV
- \* Four(4) VIP tickets to 2019 ConveneNV 10<sup>th</sup> Anniversary Celebration
- \* Quarter-page advertisement in the 2019 ImpactNV programbook

**Sponsor of a 2019 ConveneNV Coffee Break - \$2,500**

- \* Name and website link on ImpactNV website year-round
- \* Name listed in ImpactNV newsletters
- \* Name listed in ImpactNV 2019 State of Sustainability Report
- \* Name listed on Sponsor Board at all ImpactNV events
- \* ImpactNV logo use in joint marketing/public relations events
- \* One registration to 2019 ConveneNV
- \* Two(2) VIP tickets to 2019 ConveneNV 10<sup>th</sup> Anniversary Celebration
- \* Quarter-page advertisement in the 2019 ConveneNV programbook

**Co-Chair of 2019 ConveneNV 10<sup>th</sup> Anniversary Celebration - \$1,500**

- \* Name and website link on ImpactNV website year-round
- \* Name listed in ImpactNV newsletters
- \* Name listed in ImpactNV 2019 State of Sustainability Report
- \* Name listed on Sponsor Board at all ImpactNV events
- \* ImpactNV logo used in joint marketing/public relations events
- \* Two (2) VIP tickets to 2019 ConveneNV 10<sup>th</sup> Anniversary Celebration
- \* Name/Logo listed in the 2019 ConveneNV program book

**Host Committee for 2019 ConveneNV 10<sup>th</sup> Anniversary Celebration - \$1,000**

- \* Ten (10) VIP tickets to the 2019 ConveneNV 10<sup>th</sup> Anniversary Celebration
- \* Name listed in the 2019 ConveneNV program book



## **Green Chips dba ImpactNV Board of Directors Board Commitment**

### **Purpose and Duties of the Board of Directors (BOD):**

The business and affairs of the corporation shall be managed by the officers of the Corporation, except as otherwise provided in, or limited by, NRS Chapter 82, the Corporation's Articles of Incorporation or these Bylaws. The BOD shall provide oversight and vote on issues related to (1) administrative functions, (2) organizational documents and amendments, including policies and Bylaws, (3) annual budgets, (4) organizational business, (5) major programs and strategic planning directives brought forth by the officers, and (6) and organizational decisions appropriate for the BOD to make.

**\* I understand my financial commitment is necessary to ensure the success of ImpactNV, and that members of the Board have a give and get requirement of \$1,500.**

- My company/organization will participate in the following ways this year:
  - \_\_\_\_\_ Tickets to ConveneNV 2019 (\$50 ticket) \$ \_\_\_\_\_
  - \_\_\_\_\_ Annual Sponsorship (\$1,000 to \$25,000) \$ \_\_\_\_\_
- In order to achieve 100% participation of the board, I personally pledge (no minimum -an amount meaningful to you) \$ \_\_\_\_\_

**\* As a member of the Board of Directors, I agree to serve on the following committee(s) this year:**

- |                                  |   |
|----------------------------------|---|
| * Environment                    | * Immigrant Integration                         |
| * Economy                        | * Executive Committee (for executive team only) |
| * ConveneNV                      | * Other _____                                   |
| * State of Sustainability Report | (suggestion for BOD review)                     |
| * Trafficking                    |   |
| * Homelessness                   |   |

**\* I would like to help with other donor identification, cultivation, and stewardship (check all that apply):**

- \* Host a cultivation event at my home or workplace
- \* Make thank you calls to donors
- \* Add personal notes to solicitations or thank-you's (twice per year)
- \* Bring colleagues, friends, or family to cultivation events
- \* Set-up meetings with 3 or more potential donors

**\* I understand that Board meeting attendance is key to the success of the Board and organization and 75% in person attendance at monthly Board meetings is a requirement for Board membership.**

Signature: \_\_\_\_\_

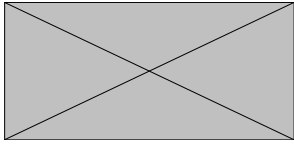
Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_





**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 9/27/2017 8:21:51 AM  
**Subject:** Latest ACA Repeal Failure Only A Pause, Not A Full Stop



**PUBLIC POLICY.**

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**Wednesday, September 27, 2017**

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## TOP NEWS

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### Analysis

#### **Latest ACA Repeal Failure Only A Pause, Not A Full Stop**

The failure of the Senate to move forward with its latest Affordable Care Act repeal bill will likely put similar efforts on ice for the rest of the year, but other attempts to at least tweak if not repeal the ACA will likely resume in the future, experts say. [Read more »](#)

#### **Trump, Dem. Rep. Give Hint Of Wednesday's Big Tax Reveal**

One day before senior Republicans and administration officials were expected to reveal a core framework for overhauling the tax code, President Donald Trump teased out details during a bipartisan meeting Tuesday, suggesting that there may be an agreement on what tax rates lawmakers will try to pass. [Read more »](#)

### Analysis

#### **OT Rule Comments Show Sharp Divide On Salary Threshold**

The 60-day period for commenting on possible changes to the Obama administration's controversial overtime rule closed Monday. While many of the 165,000 commenters agreed that the U.S. Department of Labor had authority to set a clear salary threshold for workers to qualify for the Fair Labor Standards Act's "white collar" exemptions, they remained deeply split over exactly what that threshold should be. [Read more »](#)

#### **2nd Circ. Vacates Skelos Corruption Convictions**

The Second Circuit on Tuesday vacated the convictions of former New York State Senate Majority Leader Dean Skelos and his son, Adam, saying jurors were given instructions that fell short of the U.S. Supreme Court's standard in *U.S. v. McDonnell*. [Read more »](#)

#### **SEC Forms Enforcement Unit To Combat Cyberthreats**

The U.S. Securities and Exchange Commission has announced the creation of a unit to combat cyber-related offenses, with Monday's statement coming just days after the agency revealed that its electronic filing system for company disclosures had been hacked and that the culprits may have traded on the information. [Read more »](#)

#### **Outgoing CFTC Member Wants High-Speed Trading Rules Set**

The U.S. Commodity Futures Trading Commission's Sharon Bowen urged the agency in a farewell address Monday to finalize rules regulating high-speed trading, calling it unfinished business and arguing that failure to keep pace with European regulators on this matter will jeopardize American financial markets. [Read more »](#)

#### **OxyContin Maker Can't Flee City's Suit Over Opioid Crisis**

Purdue Pharma LP must face most of a lawsuit filed by the city of Everett, Washington, accusing the drugmaker of supplying OxyContin to "obviously suspicious" doctors and pharmacies and fueling the city's opioid crisis, a

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Barnes & Thornburg  
Bartimus Frickleton  
Bilzin Sumberg  
Bredhoff & Kaiser  
Cadwalader Wickersham  
Casellas Alcover  
Conrad & Scherer  
Consovoy McCarthy  
Debevoise & Plimpton  
Epstein Becker Green  
Fenwick & West  
Fisher Phillips  
Freshfields  
Goldberg Segalla  
GrayRobinson  
Greenbaum Rowe  
Greenberg Traurig  
Holland & Knight  
Hughes Hubbard  
Hunton & Williams  
Jackson Lewis  
Javerbaum Wurgaft  
Karr Tuttle  
Kelley Drye  
Kelley Goldfarb  
King & Spalding  
Kirkland & Ellis  
Kobre & Kim  
Latham & Watkins

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Washington federal judge said Monday. [Read more »](#)

## BANKING & SECURITIES

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### SEC Chairman Feels Bipartisan Heat On Breach Disclosure

The U.S. Securities and Exchange Commission's chairman on Tuesday faced bipartisan criticism of his agency's delay in notifying the public about a breach of a key corporate data filing system that may have allowed hackers to trade on nonpublic information. [Read more »](#)

### CFTC Urged To Boost Cybersecurity, Stretch Budget Dollars

Deterring cybersecurity threats and stretching limited budget dollars rank among the biggest challenges facing management at the Commodity Futures Trading Commission, the futures market regulator's internal auditor wrote in a letter released on Monday. [Read more »](#)

## ENERGY & ENVIRONMENTAL

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### API Says States Should Take Lead On Fracking Rule

The American Petroleum Institute told the Bureau of Land Management on Monday that its hydraulic fracturing rules for federal and Native American lands should be based on the "expertise of state regulatory agencies" and should not involve a major federal, one-size-fits-all solution. [Read more »](#)

### FHWA Walks Back Highway Greenhouse Gas Rule Delay

The Federal Highway Administration in a letter to a New York federal judge on Monday agreed to reinstate deadlines for a regulation designed to curb greenhouse gas emissions on national highways, providing a win for environmentalists while also vowing to repeal the rule through a formal process. [Read more »](#)

### Looser Silica Dust Rules Were Effective, DC Circ. Hears

Industry groups urged a D.C. Circuit panel Tuesday to nix new Occupational Safety and Health Administration rules lowering how much silica dust workers can be exposed to, rebutting OSHA's claims that a previous standard left millions of workers at risk of developing lung cancer and other diseases. [Read more »](#)

### Dem State AGs Vow to Keep Up 'Legal Resistance' To Trump

The attorneys general of New York, Illinois and Maryland on Tuesday presented a united front in opposition to the Trump administration's effort to roll back some Obama-era environmental regulations, and promised to keep up their "legal resistance." [Read more »](#)

## HEALTH & LIFE SCIENCES

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### Backers To Resuscitate ACA Repeal After Failure

Senate Republicans on Tuesday started to piece together a new path for a health care reform effort, after a series of Republican defections doomed the latest Affordable Care Act repeal and replace bill this week. [Read more »](#)

### Fla. Marijuana Law's Black Farmer License Draws Challenge

A provision in Florida's latest medical marijuana law that reserves a growing license for a black farmer has been challenged by a black farmer who says the requirements illegally narrow eligibility to members of a private organization. [Read more »](#)

### Menendez Threatened Hearing, State Dept. Official Testifies

Sen. Bob Menendez threatened to hold a hearing on port security in the Dominican Republic unless the U.S. Department of State came up with a solution related to a contract dispute between the government of the Caribbean nation and a Florida

Lewis Brisbois  
Littler Mendelson  
McDermott Will  
Morgan Lewis  
Nichols Kaster  
Norton Rose Fulbright  
O'Neill & Borges  
Ogletree Deakins  
Proskauer Rose  
Riley Safer  
Ropes & Gray  
Seyfarth Shaw  
Sherman Dunn  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Trucker Huss  
Weil Gotshal  
WilmerHale  
Winston & Strawn

## COMPANIES

A.P. Moller-Maersk  
AARP Inc.  
AT&T Inc.  
Achmea BV  
Allstate Corporation  
American Association of Motor Vehicle Administrators  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Petroleum Institute Inc.  
American Trucking Associations Inc.  
Assured Guaranty Ltd.  
Boehringer Ingelheim  
CTIA  
Center for Biological Diversity Inc.  
Culp Inc.  
Electronic Frontier Foundation  
Equifax Inc.  
Federalist Society  
Google Inc.  
Human Rights Campaign  
International Franchise Association  
King Pharmaceuticals Inc.  
Lambda Legal Defense & Educational Fund  
Make the Road New York  
Merial Limited  
MoneyGram International, Inc.

CLV001217

ophthalmologist, according to testimony Tuesday at the senator's and doctor's bribery trial in New Jersey federal court. [Read more »](#)

### **Kickbacks Enabled Dirty Health Deal: Fla. Whistleblower**

Allegations that a cancer-care chain connected to Florida Gov. Rick Scott bought a 25-year contract with a state public health system via kickbacks to the system's CEO surfaced Monday in unsealed filings from a whistleblower seeking a court's declaration that the chain cannot use bankruptcy to shed itself of False Claims Act debts. [Read more »](#)

## **IP & TECHNOLOGY**

### **Calif. Reps. Tell DC Circ. Gov't Regs Can't Be Copyrighted**

Rep. Zoe Lofgren, D-Calif., and Darrell Issa, R-Calif., asked the D.C. Circuit on Monday to overturn a ruling that said copyright law covers private industry standards that are later turned into federal regulations, warning that nobody should be "held liable for publishing the law of the land." [Read more »](#)

## **TRANSPORTATION & INFRASTRUCTURE**

### **Trump Taps NJ Motor Vehicle Chief To Lead FMCSA**

President Donald Trump will nominate the chairman and chief administrator of the New Jersey Motor Vehicle Commission to be the head of the Federal Motor Carrier Safety Administration, the nation's safety regulator for commercial motor vehicles, the White House said Tuesday. [Read more »](#)

## **EMPLOYMENT**

### **NJ Justices Won't Hear Atty's Public Benefits Bid**

The New Jersey state supreme court has declined to hear a case brought by a New Jersey attorney arguing that his work for the government made him eligible for public retirement benefits. [Read more »](#)

## **COMPETITION**

### **McSweeney To Stay On At FTC Until Reinforcements Arrive**

With just two commissioners in place and no reinforcements on the horizon, Democrat Terrell McSweeney has decided to continue on at the Federal Trade Commission even though her term expired Monday. [Read more »](#)

## **PRIVACY & CYBERSECURITY**

### **Dems Push For Clawbacks On Departing Equifax CEO's Pay**

Senate Democrats on Tuesday blasted the resignation of Equifax Inc. Chairman and CEO Richard Smith, saying that the longtime executive should see at least some of his compensation clawed back and that he should not escape a hearing before a key Congressional panel. [Read more »](#)

## **MEDICAL MALPRACTICE**

### **Pa. House Panel OKs Cap On Nursing Home Suit Punitives**

A Pennsylvania legislative committee on Tuesday narrowly approved a bill that would largely cap the amount of punitive damages available in lawsuits accusing nursing homes of substandard care. [Read more »](#)

National Association of Manufacturers  
National Association of Realtors  
National Employment Law Project  
National Immigration Law Center  
National Restaurant Association  
National Retail Federation Inc.  
National Rifle Association of America  
Natural Resources Defense Council  
Neota Logic Inc.  
New York Times Co.  
New York University  
Oath Inc.  
Pfizer Inc.  
Portland Cement Association  
Purdue Pharma LP  
QUALCOMM Incorporated  
Rite Aid Corporation  
SABMiller  
Sanofi-Aventis  
Sierra Club  
Southern Environmental Law Center  
Sprint Nextel Corporation  
T-Mobile USA Inc.  
The Boeing Company  
Twitter Inc.  
U.S. Chamber of Commerce  
United Auto Workers  
United Nations Commission on International Trade Law  
United Steelworkers  
United Way International Inc.  
Univar Incorporated  
Walgreen Co.  
Walgreens Boots Alliance Inc.  
ZTE Corp.

## **GOVERNMENT AGENCIES**

Bureau of Land Management  
Commodity Futures Trading Commission  
Congressional Budget Office  
Department of Commerce  
European Commission  
European Union  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Highway Administration  
Federal Motor Carrier Safety

## AEROSPACE & DEFENSE

### Trump Names New Asst. Defense Logistics Secretary

President Donald Trump on Tuesday named Robert H. McMahon, a retired U.S. Air Force officer and president of a Georgia-based real estate firm, as his nominee for assistant secretary of defense, logistics and materiel readiness. [Read more »](#)

### Wash. Wants In On Challenging Trump's Trans Military Ban

The state of Washington on Monday asked a federal court for permission to join a suit challenging President Donald Trump's ban on transgender individuals serving in the military, claiming the state needs to protect its citizens from discrimination and its National Guard from facing recruitment problems. [Read more »](#)

## INTERNATIONAL TRADE

### Analysis

### Changes Afoot For Investor-State Arbitration In Europe

A slew of developments over the last few weeks have highlighted the uncertain path ahead for investor-state arbitration in Europe, even as the European Commission forges ahead with developing a multilateral investment court. Here, Law360 takes a look at how these developments fit into the overall picture. [Read more »](#)

### US Plastic Makers Call For Tariffs On 5 Countries' Imports

A group of four domestic plastic producers asked U.S. trade officials Tuesday to investigate whether a certain resin component used to make various plastic products is being imported and sold in the U.S. by foreign producers from five countries at less-than-fair value. [Read more »](#)

### US Treasury Sanctions North Korean Banks, Individuals

The U.S. Department of the Treasury on Tuesday rolled out sanctions targeting 10 North Korean banks and 26 individuals said to have ties to North Korean financial networks, a move aimed at restricting the reclusive regime's ability to tap the international financial system to finance its weapons programs. [Read more »](#)

## BANKRUPTCY

### Citing Hurricane, Judge Postpones Puerto Rico Debt Hearings

The judge presiding over Puerto Rico's historic debt restructuring cases has pushed back impending court hearings and moved them from San Juan to her courtroom in New York, saying Tuesday that the order is intended to accommodate the immediate crises on the island caused by Hurricane Maria. [Read more »](#)

## IMMIGRATION

### Democratic Senators Urge DHS To Push Back DACA Deadline

A number of Democratic U.S. senators on Monday asked the U.S. Department of Homeland Security to extend the Oct. 5 deadline for participants in the endangered Deferred Action for Childhood Arrivals program to submit renewal applications after several major hurricanes struck the U.S. in recent weeks. [Read more »](#)

### Trump Admin Wants Sanctuary City Rules To Go Into Effect

The U.S. Department of Justice on Tuesday asked an Illinois judge to stay the nationwide enforcement of his order blocking anti-sanctuary city conditions the department had placed on law enforcement grants while its appeal is heard, saying the order would cause "sweeping disruption" of the grant program. [Read more »](#)

### Judges Admonish Gov't Lawyers At DACA Hearing

Administration  
Federal Trade Commission  
Florida Department of Health  
Internal Revenue Service  
International Trade Commission  
National Aeronautics and Space Administration  
New York Attorney General's Office  
New York State Assembly  
New York State Department of Motor Vehicles  
New York State Senate  
Occupational Safety and Health Administration  
Office of Foreign Assets Control  
Securities and Exchange Commission  
U.S. Air Force  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Education  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
U.S. Supreme Court  
United Nations  
United States Bankruptcy Court for the Southern District of New York

A pair of judges in Brooklyn federal court Tuesday took turns scolding government lawyers, with one judge calling the government's intransigence on a looming deadline in the phaseout of the Deferred Action for Childhood Arrivals program "heartless," while the other chided a lawyer and expedited discovery over the government's objection. [Read more »](#)

### **Rights Groups Say ICE Denies Pregnant Women Medical Care**

A group of rights organizations petitioned the U.S. Department of Homeland Security on Tuesday, alleging that U.S. Immigration and Customs Enforcement is detaining pregnant women in violation of policy while also denying medical care in violation of the law, amid health crises including miscarriages. [Read more »](#)

## **TELECOMMUNICATIONS**

### **FCC Finds Sufficient Mobile Competition Despite Objections**

The Federal Communications Commission on Tuesday adopted an annual report finding that sufficient competition exists in the wireless industry, accepting the conclusion over objections from the two Democratic commissioners that the report relied on unclear or misleading framing. [Read more »](#)

### **FCC Inches Closer To Toll-Free Number Auctions**

The Federal Communications Commission on Tuesday moved forward with a notice of proposed rulemaking that would allow it to auction off popular toll-free numbers under the new 833 code and permit people to assign numbers to others for a fee. [Read more »](#)

### **Sens. Waffle On Giving Courts Say In Special Counsel Firings**

A Senate panel Tuesday appeared torn on how to proceed with two bipartisan bills introduced last month that would allow federal judges to review any decision by the executive branch to fire special counsels investigating the president, wringing their hands over whether such measures undercut executive power but also fretting about the need to check presidents inclined to fire the prosecutor investigating them. [Read more »](#)

## **EXPERT ANALYSIS**

### **A Look At SEC's Rules Of Practice, A Year After Amendments**

The U.S. Securities and Exchange Commission's amended rules of practice — which became effective one year ago — provide little added procedural benefits for respondents and suffer from a general lack of clarity, say Terence Healy and Elizabeth Solander of Hughes Hubbard & Reed LLP. [Read more »](#)

#### **Opinion**

### **The Truth About Rolling Back Obama-Era Title IX Guidelines**

Whether one agrees with all of the Obama administration's Title IX guidelines or not, the Trump administration's repeal is a blow to young women attending U.S. universities. Attorneys working on these types of cases can expect to see fewer incidents reported, fewer reported incidents investigated, fewer findings against the accused, and worse repercussions for the victims, says Genie Harrison of the Genie Harrison Law Firm. [Read more »](#)

## **LEGAL INDUSTRY**

### **Fla. Powerhouses Attract Global Business In Diverse Economy**

The entire state of Florida may have just been battered by Hurricane Irma, but leaders at the five firms on Law360's list of Florida Powerhouses are still sunny on the state's future since its economy has diversified and it has become a hub for international business. [Read more »](#)

#### **Analysis**



### 3 New Technologies That Could Make GCs' Lives Easier

Technology's role in many in-house legal departments is rapidly growing as companies look to free up paralegals and attorneys to focus on high-value work. Here, Law360 looks at three technologies corporations have recently introduced. [Read more »](#)

#### Analysis

### Online Punk Of Kushner Atty Shows Holes In Email Security

An email prank on Jared Kushner's lawyer, a veteran of high-stakes political dramas, may be good for a chuckle, but law firm security experts say bogus emails and online "phishing" are no joke for attorneys. [Read more »](#)

### Ex-Steptoe Atty Seeks Green Light For Pay Bias Action

A former Steptoe & Johnson LLP associate asked a California federal judge on Monday for conditional certification in her collective action accusing the firm of violating the Equal Pay Act by paying female attorneys less than their male counterparts. [Read more »](#)

### Ex-Hunton Atty Avoids Jail For Wine-Fueled Insider Trading

A former Hunton & Williams LLP attorney was sentenced by a Brooklyn federal judge on Tuesday to three years probation for his securities fraud and conspiracy convictions after he drunkenly tipped off his friend and investment adviser about Pfizer Inc.'s plans to acquire his drugmaker client. [Read more »](#)

### Harvard Grad Fired From Ropes & Gray Trims Bar Exam Suit

A Harvard Law School graduate who lost her job at Ropes & Gray LLP after twice failing the bar exam dropped some of her claims on Tuesday against the New York State Board of Law Examiners, which she says did not accommodate her anxiety-related disability until it was too late. [Read more »](#)

### King & Spalding Chair Fights Deposition In Ex-Atty's Suit

King & Spalding LLP asked a New York federal judge Monday to prohibit or limit to two hours a deposition of its chairman by a onetime senior associate accusing the firm of wrongful firing. [Read more »](#)

### Global 20: Freshfields

Freshfields Bruckhaus Deringer LLP continued this year to flex its muscle as a cross-border powerhouse, advising on a slew of multibillion-dollar deals and guiding companies through high-stakes investigations and litigation to once again land the Magic Circle firm on Law360's Global 20 list. [Read more »](#)

#### Series

### My Supreme Court Debut: A Crammed Calendar

When I tell people about my first U.S. Supreme Court oral argument, and how it happened literally in the middle of a five-week trial I was handling, they tend to look at me with a very skeptical expression, says Pierre Bergeron, chairman of the appellate and Supreme Court practice group at Squire Patton Boggs LLP. [Read more »](#)

#### JOBS

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#### Natural Resources Associate

Downey Brand  
San Francisco, California

#### Water Law Associate

Downey Brand  
Sacramento, California

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#### LAW FIRMS

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Ropes & Gray  
Andrus Anderson  
Archer & Greiner  
Baker McKenzie  
Barnes & Thornburg  
Bartimus Frickleton  
Bilzin Sumberg  
Bredhoff & Kaiser  
Cadwalader Wickersham  
Casellas Alcover  
Conrad & Scherer  
Consovoy McCarthy  
Debevoise & Plimpton  
Epstein Becker Green  
Fenwick & West  
Fisher Phillips  
Freshfields  
Goldberg Segalla  
GrayRobinson  
Greenbaum Rowe  
Greenberg Traurig  
Hughes Hubbard  
Jackson Lewis  
Javerbaum Wurgaft  
Karr Tuttle  
Kelley Drye  
Kelley Goldfarb  
King & Spalding  
Kobre & Kim  
Latham & Watkins  
Lewis Brisbois  
Littler Mendelson  
McDermott Will  
Morgan Lewis  
Nichols Kaster  
O'Neill & Borges  
Ogletree Deakins  
Riley Safer  
Seyfarth Shaw  
Sherman Dunn  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Trucker Huss  
Weil Gotshal  
WilmerHale  
Winston & Strawn

American Civil Liberties Union  
Google Inc.  
U.S. Chamber of Commerce  
A.P. Moller-Maersk  
AARP Inc.  
AT&T Inc.  
Achmea BV  
Allstate Corporation  
American Association of Motor Vehicle Administrators  
American Federation of Labor and Congress of Industrial Organizations  
American Petroleum Institute Inc.  
American Trucking Associations Inc.  
Assured Guaranty Ltd.  
Boehringer Ingelheim  
CTIA  
Center for Biological Diversity Inc.  
Culp Inc.  
Electronic Frontier Foundation  
Equifax Inc.  
Federalist Society  
Human Rights Campaign  
International Franchise Association  
King Pharmaceuticals Inc.  
Lambda Legal Defense & Educational Fund  
Make the Road New York  
Merial Limited  
MoneyGram International, Inc.  
National Association of Manufacturers  
National Association of Realtors  
National Employment Law Project  
National Immigration Law Center  
National Restaurant Association  
National Retail Federation Inc.  
National Rifle Association of America  
Natural Resources Defense Council  
Neota Logic Inc.  
New York Times Co.  
New York University  
Oath Inc.  
Pfizer Inc.  
Portland Cement Association  
Purdue Pharma LP  
QUALCOMM Incorporated  
Rite Aid Corporation  
SABMiller  
Sanofi-Aventis  
Sierra Club  
Southern Environmental Law Center  
Sprint Nextel Corporation  
T-Mobile USA Inc.  
The Boeing Company  
Twitter Inc.



United Auto Workers  
United Nations Commission on International Trade Law  
United Steelworkers  
United Way International Inc.  
Univar Incorporated  
Walgreen Co.  
Walgreens Boots Alliance Inc.  
ZTE Corp.

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
Securities and Exchange Commission  
U.S. Department of Homeland Security  
U.S. Supreme Court  
Commodity Futures Trading Commission  
European Union  
Federal Communications Commission  
New York Attorney General's Office  
U.S. Department of Labor  
U.S. Department of Transportation  
Bureau of Land Management  
Congressional Budget Office  
Department of Commerce  
European Commission  
Federal Bureau of Investigation  
Federal Highway Administration  
Federal Motor Carrier Safety Administration  
Federal Trade Commission  
Florida Department of Health  
Internal Revenue Service  
International Trade Commission  
National Aeronautics and Space Administration  
New York State Assembly  
New York State Department of Motor Vehicles  
New York State Senate  
Occupational Safety and Health Administration  
Office of Foreign Assets Control  
U.S. Air Force  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Education  
U.S. Department of Health and Human Services  
U.S. Department of State  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
United Nations  
United States Bankruptcy Court for the Southern District of New York

## **JOBS**

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Downey Brand

San Francisco, California

### **Water Law Associate**

Downey Brand

Sacramento, California

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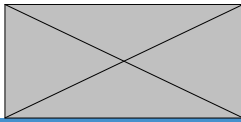
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**Sent:** Thur 9/29/2016 1:37:34 PM  
**Subject:** [Marketing Mail] Congress Reaches Deal To Avoid Gov't Shutdown



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**Thursday, September 29, 2016**

## TOP NEWS

### **Congress Reaches Deal To Avoid Gov't Shutdown**

Congress pulled together a compromise measure Wednesday that would avoid a government shutdown at the end of the week, after a deal was struck to allow aid for Flint, Michigan's lead-contaminated water system to proceed in a different bill.

### **Congress Overrides Obama Veto Of 9/11 Suit Bill**

Congress on Wednesday voted to override President Barack Obama's veto of a bill to allow civil suits against foreign officials and countries, particularly Saudi Arabia, for allegations of state and private sponsorship of terror, the first such override of his term.

### **House OKs Bill To Put Brakes On DOL's Overtime Rule**

In the face of a presidential veto threat and numerous Democratic objections, the U.S. House of Representatives voted 246-to-177 Wednesday to delay by an additional six months the U.S. Department of Labor's rule raising the threshold for exemption to overtime pay.

### **House Passes Water Infrastructure Bill, With Flint Aid**

The U.S. House of Representatives on Wednesday passed its version of a bill authorizing U.S. Army Corps of Engineers water infrastructure projects, adding its own measures for aid to Flint, Michigan, and altering Corps policy related to Native American tribes.

### **House GOP To Take CFPB To Task Over Wells Fargo Scandal**

The House Financial Services Committee is expected to blast Wells Fargo & Co. Chairman and CEO John Stumpf on Thursday over the more than 2 million unauthorized accounts his employees created, but committee Republicans will also attempt to turn up the heat on regulators for not stepping in sooner.

### **Yellen Says Fed, FDIC Ready To Act If Living Wills Are Weak**

Federal Reserve Chair Janet Yellen said Wednesday that regulators will be prepared to mete out penalties to five giant banks scheduled to file revised resolution plans later this week if there are not significant improvements to the so-called living wills.

### **Munger Tolles Scores Ex-SG Verrilli To Launch DC Office**

Former Solicitor General Donald B. Verrilli Jr., known for his successful U.S. Supreme Court defenses of the Affordable Care Act and marriage equality, is

## LAW FIRMS

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Archer & Greiner  
Baker & McKenzie  
Berger Singerman  
Cogan & Power  
Cravath Swaine  
Cray Huber  
Curtin & Heefner  
Fox Rothschild  
Gallagher & Kennedy  
Gibson Dunn  
Goldberg Segalla  
Harrison Sale  
Irell & Manella  
Jackson Lewis  
Jenner & Block  
Kleinbard LLC  
Mayer Brown  
McNabola Law Group  
Munger Tolles  
Perkins Coie  
Phillips & Cohen LLP  
Pillsbury Winthrop  
Shearman & Sterling  
Sheppard Mullin  
Sills Cummis  
Skadden  
Squire Patton Boggs  
Venable LLP  
Verrill Dana  
White and Williams  
Wilson Elser

## COMPANIES

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heading back to private practice at Munger Tolles & Olson LLP to open up its new Washington, D.C., office, the firm announced on Wednesday.

## ANALYSIS

### Set-Top Box Plan Likely To Headline Active FCC Meeting

The Federal Communications Commission will take up a slate of key issues at its Thursday meeting, with experts predicting narrow passage of a blockbuster vote on the embattled proposal to unlock consumers' set-top boxes even as the final details remain uncertain.

### 5 Takeaways As Major Nursing Home Rule Finalized

Federal regulators on Wednesday finalized the first major overhaul of nursing home regulations in 25 years, banning mandatory arbitration in cases of patient harm, but also ditching controversial proposals on patient screening and rehabilitation. Here are five takeaways from the rule.

## BANKING & SECURITIES

### SEC Reluctantly Adopts New Clearing Agency Standards

The U.S. Securities and Exchange Commission voted Wednesday to adopt rules to strengthen regulations of systemically important clearing agencies and propose changes to clearing settlement cycles, even though two of the agency's commissioners expressed reservations with the new standards.

### Senate Ag Committee Sends CFTC Nominees Forward

The U.S. Commodities Futures Trading Commission took another step toward a full complement of five commissioners on Wednesday, when the Senate agriculture committee voted to approve two nominees and send their nominations to the Senate floor.

### Lynn Tilton Justifies Latest Suit Over SEC In-House Rules

Private equity magnate Lynn Tilton told a New York federal judge in a letter on Tuesday why her new suit challenging the U.S. Securities and Exchange Commission's use of administrative proceedings passes jurisdictional muster, saying the new complaint includes due process and equal protection claims.

## ENERGY & ENVIRONMENTAL

### Enviros Claim EPA Failing To Limit States' Airborne Pollution

Two nonprofits accused the U.S. Environmental Protection Agency in California federal court on Tuesday of failing to timely ensure that states comply with federal air quality standards on airborne particles associated with power plants and automobiles that pose threats to human health and the environment.

### Scope Of Natural Gas Law Again Limited By Pa. High Court

Pennsylvania's controversial law governing oil and gas drilling in the state was once again weakened by the state Supreme Court, which on Wednesday invalidated provisions that allow limitations on post-spill drinking water notifications, block physicians from disclosing components in fracking chemicals and give natural gas shippers the power to use eminent domain.

## TRANSPORTATION & INFRASTRUCTURE

### Unequal Rules On Uber, Lyft Threaten Philly Cabs, Judge Told

Cabdrivers packed a Pennsylvania federal judge's courtroom on Wednesday as a string of witnesses testified in support of an injunction to strip the Philadelphia

AT&T Inc.

Agricultural Retailers Association

Altera Corporation

Amazon.com Inc.

American Association for Justice

Association of Corporate Counsel

BTI Consulting Group Inc.

Bank of America Corporation

CSP Inc.

Center for Biological Diversity Inc.

Depository Trust & Clearing Corp.

General Electric Company

Google Inc.

Immigration Reform Law Institute

International Swaps and

Derivatives Association

JPMorgan Chase & Co.

Lehman Brothers Holdings Inc.

Los Angeles Times

Lyft Inc.

Maine Medical Center

McGraw Hill Financial Inc.

Metro-Goldwyn-Mayer Studios Inc.

Minnesota Lawyers Mutual Insurance Co.

Mortgage Bankers Association

Mylan NV

NBCUniversal Inc.

National Association of Broadcasters

National Association of Insurance Commissioners

National Association of Manufacturers

National Federation of Independent Business

Oracle Corporation

Penguin Group Inc.

Planned Parenthood Federation

Recording Industry Association of America

Southern California Edison

State Street Corp.

Teva Pharmaceutical Industries Limited

The Bank of New York Mellon Corporation

The Fertilizer Institute

U.S. Chamber of Commerce

Uber Technologies Inc.

United States Council for International Business

Wells Fargo & Co.

CLV001227

Parking Authority of its ability to enforce regulations on taxis that exceed burdens placed on ride-sharing services like Uber and Lyft.

### **Defense Attacks GWB Scandal Mastermind's Testimony**

An attorney for a former public official on trial over the George Washington Bridge lane closures pounced Wednesday on a series of disparaging text messages by the mastermind behind the scandal to challenge claims that the two men were close friends and took part in a political payback scheme.

## **INSURANCE**

### **Lawmakers Question US-EU Insurance Talks' Transparency**

A federal insurance regulator told a House subcommittee Wednesday that substantial progress has been made on a bilateral deal designed to place U.S. and European Union insurers and reinsurers on equal footing, while lawmakers continued to press for greater transparency on the talks.

### **Fla. Court Says Local Insurance Regs Preempted By State Law**

A Florida appeals court on Wednesday sided with a Panama City Beach motor scooter rental company in its fight with the city and Bay County, ruling that local ordinances mandating insurance coverage levels and safety vests are preempted by Florida law.

## **REAL ESTATE**

### **Thousands Ask Treasury To Kill Estate Transfer Proposal**

More than 3,800 family-owned businesses and trade groups have called on U.S. Treasury Secretary Jacob Lew to withdraw controversial regulations that have been proposed to prevent the undervaluation of transferred interests for estate tax purposes, according to a statement Wednesday from the National Association of Manufacturers.

### **New Rules Proposed For 'Zombie Properties' In New York**

New York Democratic Gov. Andrew Cuomo on Tuesday said that the state's Department of Financial Services has proposed a new regulation that will require banks and mortgage servicers to inspect delinquent properties and secure any so-called zombie properties that they find are abandoned.

## **PRIVACY & CONSUMER PROTECTION**

### **Calif. Suspends Biz With Wells Fargo Over Accounts Scandal**

California's state treasurer on Wednesday announced that the Golden State will suspend its business relationship with Wells Fargo & Co. for one year to sanction the bank for opening millions of unauthorized customer accounts, in a growing scandal that has spawned a \$185 million fine along with shareholder and employee putative class actions.

### **EU Floats Update To Tighten Cybersecurity Export Rules**

The European Commission on Wednesday moved to update rules governing the export of cybersurveillance tools in order to make it more difficult for the dual-use technologies to be used to carry out human rights violations or terrorism, while clarifying obligations for exporters and national authorities.

## **GOVERNMENT CONTRACTS**

### **Sens. Ask DOJ If Mylan's EpiPen Rebates Violate FCA**

Three U.S. senators on Wednesday asked Attorney General Loretta Lynch whether

Yelp Inc.

Zeughauser Group LLC

## **GOVERNMENT AGENCIES**

Army Corps of Engineers

California Public Employees' Retirement System

California State Treasurer's Office

Centers for Medicare & Medicaid Services

Commodity Futures Trading Commission

Consumer Financial Protection Bureau

Defense Logistics Agency

Department of Commerce

Equal Employment Opportunity Commission

European Commission

Executive Office of the President

Export-Import Bank of the United States

Federal Acquisition Regulatory Council

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Reserve System

Financial Stability Oversight Council

Food and Drug Administration

Internal Revenue Service

National Labor Relations Board

Occupational Safety and Health Administration

Office of the Comptroller of the Currency

Oneida Indian Nation

Port Authority of New York & New Jersey

Securities and Exchange Commission

U.S. Army

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Veterans Affairs

U.S. Department of the Treasury

U.S. Environmental Protection Agency

the U.S. Department of Justice is investigating possible False Claims Act violations by Mylan NV after questions arose on whether the company may be underpaying Medicaid rebates for its epinephrine injector EpiPen.

### **No Issues With Army's \$439M Energy Leases, Watchdog Says**

The Pentagon's internal watchdog gave a clean bill of health Wednesday to the U.S. Army's leasing of land for use in solar energy projects, totaling more than \$439 million, turning up nothing after an anonymous tipster alleged the property was leased to utility companies without employing competitive procedures.

### **HHS Wins Medicare Payment Fight Against Maine Hospital**

The U.S. Department of Health and Human Services was right to bar Central Maine Medical Center from amending its appeal of how much it should have been reimbursed by Medicare in 2007 because the wrong organization submitted the request, a Maine federal judge ruled Wednesday.

## **INTERNATIONAL TRADE**

### **US, EU Slam Russia For Spurning WTO Commitments**

U.S. and European Union officials on Wednesday battered Russia for disregarding a litany of World Trade Organization rules since becoming a full member four years ago, taking Moscow to task on issues ranging from intellectual property rights to food safety rules disguised as trade barriers.

## **TAX**

### **Multistate Tax Commission Slams Goodlatte's Sales Tax Plan**

The Multistate Tax Commission blasted Rep. Bob Goodlatte's proposal to help states levy taxes on out-of-state sales, regardless of a vendor's physical presence there, as one that will create unproductive competition and administrative and constitutional headaches.

### **Amazon Says IRS Did Not Justify Now-Axed Cost-Sharing Rule**

Amazon.com Inc. has sided with a chipmaker and urged the Ninth Circuit to uphold the U.S. Tax Court's revocation of an IRS rule on stock-based compensation in cost-sharing agreements, saying the agency did not adequately justify its rationale for adopting the rule.

## **IMMIGRATION**

### **IT Workers Appeal After Judge Upholds Spousal Visa Rule**

A group of information technology workers who claim they were replaced by H-1B visa holders is appealing a decision upholding a new U.S. Department of Homeland Security rule that would allow spouses of certain H-1B workers to apply for employment authorization.

## **TELECOMMUNICATIONS**

### **Gov't Asked To Fight UN Efforts To Regulate Net**

An international business trade association, which includes as its members law firms and major multinational companies, released a statement on Tuesday pressing the U.S. government to keep a lid on a foray into internet governance from a United Nations agency that develops global telecommunications standards.

## **PEOPLE**

[U.S. General Services Administration](#)

[U.S. House of Representatives](#)

[U.S. Navy](#)

[U.S. Secret Service](#)

[U.S. Senate](#)

[U.S. Supreme Court](#)

[United Nations](#)



## **Norberg Named As New SEC Whistleblower Chief**

The U.S. Securities and Exchange Commission on Wednesday announced the appointment of the second head of its whistleblower program.

## **Obama Taps New Ambassador To Cuba In Late-Term Gambit**

President Barack Obama announced his intent to nominate the first ambassador to Cuba in more than five decades late Tuesday, teeing up a fierce battle with lawmakers opposing his ongoing attempt to open U.S. trade, immigration and sanctions policy toward Havana.

## **EXPERT ANALYSIS**

### **4 Considerations For Challenging Agency Actions**

The U.S. Supreme Court's 2015 decision in *Perez v. Mortgage Bankers Association* seemed to foreclose many challenges to so-called "interpretive rules" issued by federal agencies. However, the D.C. Circuit's recent decision in *Agricultural Retailers Association and The Fertilizer Institute v. U.S. Department of Labor* presents a road map for developing successful litigation against ostensibly "interpretive" agency guidance, say attorneys with Gallagher & Kennedy PA.

### **What To Know About EEOC's New Retaliation Guidance**

The U.S. Equal Employment Opportunity Commission's recent guidance on retaliation attempts to help employers reduce the likelihood of retaliation by, among other things, outlining its analyses of recent case law and providing concrete examples. However, this does not always mean the agency agrees with the court rulings or that all court interpretations are incorporated into the guidance, says Matthew Cooper of Squire Patton Boggs LLP.

### **Problems In New General Services Administration OIG Memo**

The U.S. General Services Administration Office of the Inspector General recently issued a memorandum — the fourth in a series over the past several years — detailing major issues identified during the OIG's fiscal year 2014 pre-award audits. The findings are based on two faulty premises, say Dismas Locaria and Melanie Totman of Venable LLP.

### **Daubert V. Frye: A Battle Of The Branches**

The Florida Supreme Court is currently debating whether the court will follow the Daubert standard for admissibility of expert testimony, or if it will revert to the more lenient Frye standard. This issue, reflective of a power struggle between the Florida Legislature and Florida Supreme Court, clouds the validity of trial results and forces lawyers to gamble on the outcome of the debate when evaluating case strategy, say Jordan Isrow and James Gassenheimer of Berger Singerman LLP.

### **The Courtroom Where It Happened: Hamilton As A Lawyer**

Often lost in discussions about Alexander Hamilton is that he was an extremely important New York lawyer. He had an extensive law practice until his death in 1804 and he wrote what is considered to be the first treatise in the field of private law. Ultimately, Hamilton certainly did get "a lot farther by working a lot harder, by being a lot smarter, by being a self-starter," says Randy Maniloff of White and Williams LLP.

## **LEGAL INDUSTRY**

### **3 Cases That Clarify When To Call Your Malpractice Insurer**

Every legal malpractice policy outlines the duty to alert a carrier of an expected claim, and while most triggers aren't hard to identify, there are situations in which a lawyer might miscalculate and fail to give the carrier a heads-up, putting coverage at risk. Here are three cases that shed light on the lawyer's duty to notify.

### **Why A Yelp For Lawyers Remains A Tough Sell**

Word of mouth may still be the dominant force in law firm hiring decisions, but the general counsel community has yet to buy into the idea of a publicly accessible

online database of lawyer assessments, even at a time when reviews on everything from pizza parlors to babysitters are plentiful. Here's why experts say a Yelp for lawyers has yet to catch on and what it would take for that to change.

### **Pro Bono Firm Of 2016: Irell & Manella**

Thanks to the work of Irell & Manella LLP, a Los Angeles-area school district will recognize the impact of trauma on students' learning experiences and a former U.S. Department of Veterans Affairs worker is getting nearly 10 times what the agency had previously offered to end his discrimination suit, putting the firm squarely among Law360's Pro Bono Firms of 2016.

### **Rainmaker Q&A: Jackson Lewis' John Bennett**

Not all calls to a client have to be about a particular matter. Rather, some calls are just to stay in touch and find out what is going on with them in their business and family lives, says John Bennet, a principal at Jackson Lewis PC.

### **Rainmaker Q&A: Sills Cummis' Andrew Sherman**

Find a mentor and do your best to hitch your wagon to that person. I learned to develop business by modeling other successful lawyers, but having a mentor to teach you the ropes is a much cleaner and easier path, says Andrew Sherman, co-chairman of the creditors' rights/bankruptcy reorganization practice group at Sills Cummis & Gross PC.

## **JOBS**

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Venable LLP  
Verrill Dana  
White and Williams  
Wilson Elser

## COMPANIES

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AT&T Inc.  
Agricultural Retailers Association  
Altera Corporation  
Amazon.com Inc.  
American Association for Justice  
Association of Corporate Counsel  
BTI Consulting Group Inc.  
Bank of America Corporation  
CSP Inc.  
Center for Biological Diversity Inc.  
Depository Trust & Clearing Corp.  
General Electric Company  
Google Inc.  
Immigration Reform Law Institute  
International Swaps and Derivatives Association  
JPMorgan Chase & Co.  
Lehman Brothers Holdings Inc.  
Los Angeles Times  
Lyft Inc.  
Maine Medical Center  
McGraw Hill Financial Inc.  
Metro-Goldwyn-Mayer Studios Inc.  
Minnesota Lawyers Mutual Insurance Co.  
Mortgage Bankers Association  
Mylan NV  
NBCUniversal Inc.  
National Association of Broadcasters  
National Association of Insurance Commissioners  
National Association of Manufacturers  
National Federation of Independent Business  
Oracle Corporation  
Penguin Group Inc.  
Planned Parenthood Federation  
Recording Industry Association of America  
Southern California Edison  
State Street Corp.  
Teva Pharmaceutical Industries Limited  
The Bank of New York Mellon Corporation  
The Fertilizer Institute  
U.S. Chamber of Commerce  
Uber Technologies Inc.  
United States Council for International Business  
Yelp Inc.  
Zeughauser Group LLC

## GOVERNMENT AGENCIES

Securities and Exchange Commission  
U.S. Department of Justice  
U.S. Supreme Court  
Federal Communications Commission  
Federal Reserve System  
U.S. Department of Labor  
U.S. House of Representatives  
U.S. Senate  
Army Corps of Engineers  
Centers for Medicare & Medicaid Services  
Consumer Financial Protection Bureau  
Department of Commerce  
Executive Office of the President  
Internal Revenue Service  
Office of the Comptroller of the Currency  
U.S. Army  
U.S. Department of Health and Human Services  
U.S. Department of Veterans Affairs  
U.S. Department of the Treasury  
California Public Employees' Retirement System  
California State Treasurer's Office  
Commodity Futures Trading Commission  
Defense Logistics Agency  
Equal Employment Opportunity Commission  
European Commission  
Export-Import Bank of the United States  
Federal Acquisition Regulatory Council  
Federal Deposit Insurance Corp.  
Financial Stability Oversight Council  
Food and Drug Administration  
National Labor Relations Board  
Occupational Safety and Health Administration  
Oneida Indian Nation  
Port Authority of New York & New Jersey  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. Navy  
U.S. Secret Service  
United Nations

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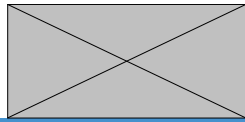
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Fri 6/3/2016 10:28:43 AM  
**Subject:** [Marketing Mail] CFPB Proposal Could Shut Off Bank Payday Loan Alternative



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**Friday, June 3, 2016**

## TOP NEWS

### CFPB Proposal Could Shut Off Bank Payday Loan Alternative

The Consumer Financial Protection Bureau's proposed restrictions for the payday loan market are likely to bring about significant changes to the way those loans are underwritten, but worries have arisen that the proposal shuts off banks from offering a potentially safer alternative.

### ACA, Marriage Cases Only Fraction Of Verrilli's Legacy

While history will best remember outgoing U.S. Solicitor General Donald B. Verrilli Jr. for his work to uphold the landmark Affordable Care Act and his successful advocacy for same-sex marriage rights, his skill also shone through in less prominent wins and even nominal losses, former colleagues said.

### Pressure Mounts On UK Watchdogs To Tackle Online Lenders

The FCA and the Bank of England need to tightly regulate the billion-dollar peer-to-peer lending and crowdfunding markets due to inherent risks they pose to consumers and investors, a senior British lawmaker argued in a pair of letters Wednesday.

### Industry Groups Sue To Stop DOL's Fiduciary Rule

Eight industry and trade groups filed a lawsuit Wednesday in Texas federal court challenging the Department of Labor's fiduciary rule, saying the department overstepped its authority in making the rule and that the new regulations will harm retirement savers.

### SEC Chief Hints At New Order-Routing Disclosure Rules

The U.S. Securities and Exchange Commission could soon take a look at proposals to enhance disclosure rules for how customer orders are handled and executed, SEC Chair Mary Jo White said Thursday, as part of efforts to increase transparency in equity exchanges.

### WTO Members Eyeing Final Green Goods Pact By September

Top trade officials from the U.S. and six other World Trade Organization members said Thursday that they are eyeing an informal September deadline to wrap up talks for an agreement that will slash tariffs on a litany of environmental products used in clean energy production.

### Solicitor General Donald Verrilli Stepping Down

U.S. Solicitor General Donald Verrilli, who defended the Affordable Care Act case

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Akerman  
Akin Gump  
Arnold & Porter  
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Balch & Bingham  
Beck Redden  
Bochetto & Lentz  
Brune & Richard  
Chadbourn & Parke  
Clifford Chance  
Cozen O'Connor  
DLA Piper  
Davis Wright Tremaine  
Dechert  
Dentons  
Earthjustice  
Foley & Lardner  
Gibson Dunn  
Goodwin Procter  
Greenberg Traurig  
Hagens Berman  
Holland & Knight  
Hunton & Williams  
Isaac Wiles  
Jenner & Block  
Jones Day  
Katten Muchin  
Katz Marshall  
Kaufman Dolowich  
Kilpatrick Townsend  
King & Wood Mallesons  
Kleinbard LLC  
Kutak Rock

CLV001235

before the U.S. Supreme Court, is stepping down after five years on the job, the Department of Justice said Thursday.

## ANALYSIS

### End Isn't Nigh For FCC Rules On Local TV Station Deals

Although broadcasters cried victory last week when the Third Circuit tossed the Federal Communications Commission's limits on joint sales agreements among local TV stations, a clear opening was left for the agency to save the rules, a move it seems determined take.

### DOL Fiduciary Rule Challengers Leave Nothing To Chance

Industry groups filing a lawsuit challenging the U.S. Department of Labor's fiduciary rule have covered all their bases in an effort to increase their chances of success, backing up novel administrative law claims with a First Amendment claim and filing in an injunction-friendly Dallas federal court, experts said.

### EU Seeks To Break Down Cross-Border Barriers For Funds

The European Union's executive rule-makers on Thursday moved toward knocking down barriers to cross-border trade in investment funds inside the EU, aiming to make the €13 trillion market a cornerstone of the region's aim to forge a Capital Markets Union.

### Tribal Casino Row Puts DOI Policy Shift Under Microscope

A bid to block construction of the Mashpee Wampanoag Tribe's casino in Massachusetts will likely force a ruling on a U.S. Department of the Interior policy change that allowed the tribe to keep building despite unresolved litigation, marking a key test for the DOI's new approach and potentially dealing a blow to opponents of tribal casinos.

## BANKING & SECURITIES

### SEC Amends 10-K Rule To Make Annual Reports User Friendly

The U.S. Securities and Exchange Commission approved an interim rule Wednesday, mandated by Congress, designed to ease the readability of corporate disclosures by allowing public reporting companies to synopsise business and financial information contained in their annual 10-K report.

### SEC Points To Tilton Ruling In Remaining In-House Court Suits

In three appeals, the U.S. Securities and Exchange Commission filed notice of the Second Circuit's day-old decision shutting down private equity magnate Lynn Tilton's constitutional challenge of the agency's in-house court, saying on Thursday that the ruling supports dismissing the other challenges of the administrative court.

### CFPB's Proposed Payday Lending Rule Draws Praise, Ire

The Consumer Financial Protection Bureau's newest proposed rule seeking to reform the payday lending system was praised Thursday as a much-needed, albeit insufficient, step toward reining in an industry it says takes advantage of consumers, while the industry contended that it will be crippled by the extra regulation.

## ENERGY & ENVIRONMENTAL

### EPA, Texas Clash On 5th Circ. Jurisdiction In Haze Plan Suit

Embroided in a dispute over federally mandated regional haze plans, Texas and the U.S. Environmental Protection Agency zeroed in Wednesday on a hotly contested issue over whether the challenge should be heard in the Fifth Circuit or the D.C. Circuit.

Labaton Sucharow  
Latham & Watkins  
Mayer Brown  
Miller & Chevalier  
Mintz Levin  
Morris Nichols  
Morvillo LLP  
Nixon Peabody  
O'Melveny & Myers  
Olshan Frome Wolosky  
Quinn Emanuel  
Reed Smith  
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Sanford Heisler  
Seyfarth Shaw  
Shearman & Sterling  
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Slaughter and May  
Steptoe & Johnson LLP  
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Financial Industry Regulatory Authority Inc.  
Financial Services Roundtable  
General Electric Company  
Google Inc.  
Huawei Technologies  
LinkedIn Corp.  
Los Angeles Times  
Luminant Generation Co. LLC  
National Federation of Independent Business  
New York City Transit Authority  
New York Times Co.

**EPA Finalizes Oil And Gas Rule For Native American Lands**

The U.S. Environmental Protection Agency on Thursday published its final plan to limit emissions of harmful air pollutants and streamline the preconstruction permitting process for some oil and natural gas production and natural gas processing industries operating in Indian Country.

**Locals Are Losers In Pa. Town's Fracking Law, Enviro Says**

A nearly decade-old ordinance allowing gas drilling in every corner of a western Pennsylvania town is facing a new challenge from an environmental group claiming the law was irrationally constructed and violated the due process rights of local residents.

**Enviros, Md. AG Rebuff House Climate Change Info Request**

Maryland’s attorney general and Greenpeace told U.S. House Republicans this week they won’t comply with a request to provide information about communications between environmental groups and state officials about investigations into whether fossil fuel companies like Exxon Mobil Corp. misled investors and the public on the impact of climate change.

**REAL ESTATE**

**Rehear Religious Land Zoning Row, Ohio Town Tells 6th Circ.**

An Ohio town on Wednesday urged the full Sixth Circuit to give another hearing to an appeal over a land use dispute with a religious school, saying that the decision reviving the schools’ suit put religious land use decisions in “needless disarray.”

**EMPLOYMENT**

**Pa. Sens Say Delay Of Judicial Retirement Vote Overstepped**

A pair of Pennsylvania state senators urged the state’s Commonwealth Court on Wednesday to find that an eleventh-hour resolution from the General Assembly pushing a ballot measure over a possible increase to the mandatory judicial retirement age to November had improperly encroached on executive branch authority.

**EEOC Solicits Comments On National Origin Bias Guidance**

The U.S. Equal Employment Opportunity Commission said Thursday that it’s seeking public comments on possible enforcement guidance regarding national origin discrimination, with the announcement coming 14 years since the agency fully tackled such national origin bias.

**INTERNATIONAL TRADE**

**Obama Pushes Back Against Anti-Trade Barbs**

President Barack Obama offered a forceful defense of his administration’s trade policies Wednesday, rebutting the assertion that increased commercial activity with other nations is harmful to the U.S. economy and highlighting his efforts to expand trade enforcement.

**US Subpoenas Huawei Over Iran, North Korea Exports**

The U.S. Department of Commerce has ordered Chinese telecom-supplier Huawei to turn over internal documents as part of an investigation into whether its business violated U.S. export laws with shipments to Iran, North Korea and other tightly monitored ports, according to media reports.

**Talk Is King At US-China Economic Summit, Analyst Says**

A Brookings Institution scholar and former U.S. Department of the Treasury official in a report on Wednesday said that policy wonks shouldn't expect dramatic results

Pacific Legal Foundation  
Pew Charitable Trusts  
PricewaterhouseCoopers  
Public Company Accounting Oversight Board  
SIFMA  
Schnitzer Steel Industries, Inc.  
Sierra Club  
Trump Entertainment Resorts Inc.  
Trump Organization Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
Washington Post Co.  
Waste Management, Inc.  
Xcel Energy Inc  
eBay Inc.

**GOVERNMENT AGENCIES**

Army Corps of Engineers  
Bureau of Indian Affairs  
Consumer Financial Protection Bureau  
Department of Commerce  
Equal Employment Opportunity Commission  
European Commission  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Reserve System  
Federal Trade Commission  
Internal Revenue Service  
Mashpee Wampanoag Tribe  
NAFTA  
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National Security Agency  
Occupational Safety and Health Administration  
Office of the Comptroller of the Currency  
Office of the Director of National Intelligence  
Securities and Exchange Commission  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection

next week at the Obama administration's final economic summit with China, although he noted that the dialogue could nonetheless prove fruitful down the line.

## NATIVE AMERICAN

### NM Tribes Can Now Ask For Military Flight Restrictions

New Mexico's 19 Native American Pueblo communities can now ask for temporary restrictions on military flights over their sacred land during special cultural events, under an agreement signed Thursday at Kirtland Air Force Base.

## TELECOMMUNICATIONS

### House Republicans Slam FCC's Broadband Privacy Proposal

A group of House Republicans on Wednesday were the latest to challenge the Federal Communications Commission's controversial proposal for new data privacy requirements for internet service providers, writing in a letter to the agency's chairman that the rules would unfairly target broadband carriers rather than websites and other edge providers.

## PEOPLE

### Hunton & Williams Nabs Ex-Katten Muchin Enviro Partners

Hunton & Williams LLP announced Wednesday that it has scooped up two partners from Katten Muchin Rosenman LLP for its San Francisco and Washington, D.C., offices, both of whom have dedicated their practices to energy and air policy.

## EXPERT ANALYSIS

### The US Perspective On The UK's Possible Brexit

While the U.S. response to a Brexit could change significantly based on the results of the forthcoming presidential election, as it stands U.S. corporations and the current administration find that a Brexit has the potential to be highly destabilizing to the EU, the world economy and U.S. business interests, say attorneys at Dentons.

### Treasury's Step Toward Global Transparency

With proposed regulations that would enable the IRS to collect certain information about domestic disregarded entities with a single foreign owner, the U.S. Department of the Treasury hopes to deter tax evasion and other abuses from the use of these types of entities and collect more information about the owners and related transactions, which it can use for law enforcement purposes, say attorneys with Akerman LLP.

### Will DTSA Whistleblower Protection Be A Game-Changer?

There is no dispute that the protections of Section 7(b) of the Defend Trade Secrets Act are received by whistleblower advocates as welcome news. But those representing whistleblowers shouldn't assume the immunity provisions will be construed broadly. It is important that lawyers representing whistleblowers advocate for an interpretation that advances the law's lofty goals, say Michael Filoromo and Matthew LaGarde at Katz Marshall & Banks LLP.

### Inside DOD's New Insider Threat Rule For Cleared Industry

The U.S. government is turning increasingly to private enterprise to support counterintelligence programs. A new U.S. Department of Defense rule requires each cleared contractor to implement an insider threat program, effectively taking a requirement familiar to contractors with access to intelligence information and applying it generally to thousands of cleared contractors, says James Harris of

## Agency

U.S. Forest Service

U.S. General Services  
Administration

U.S. House of Representatives

U.S. Senate

U.S. Supreme Court

U.S. Uniform Law Commission

World Bank Group



## **EPA Drilling Waste Regs Under Fire: 5 Things To Know**

A recent lawsuit filed against the U.S. Environmental Protection Agency by several environmental nongovernmental organizations urges the EPA to promulgate regulations under the federal Resource Conservation and Recovery Act involving the disposal and handling of oil and gas wastes. The case is in its early stages, but already there are five important factors to consider, say attorneys at Arnold & Porter LLP.

## **LEGAL INDUSTRY**

### **5 Ways Lawyers Get Their Firms Hacked**

Whether they know it or not, lawyers are high-value targets for cybercriminals. Time-strapped attorneys have habits that make it easy for hackers to breach their systems. Here are five things lawyers do that leave their firms and clients vulnerable.

### **ABA President Says Trump's Judge Insults Cross Line**

American Bar Association President Paulette Brown on Thursday seemingly targeted Donald Trump's ongoing publicity campaign against the California judge overseeing a class action over his real estate school, saying that levying personal criticism at a judge "crosses the line of propriety."

### **Akin Gump Staffers Offered Voluntary Severance Packages**

Akin Gump Strauss Hauer & Feld LLP is launching a voluntary separation program with a "generous severance package" to staffers in the law firm's New York, Los Angeles and Houston offices, among others, an Akin Gump representative confirmed Thursday.

### **Slaughter And May Joins Firms Offering Remote Work Days**

Slaughter and May is the latest firm to officially roll out a more flexible schedule for many of its London-based associates, which allows them to work outside of the office up to two days per month.

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Lawyers representing a landowner disputing federal wetland regulations won the U.S. Supreme Court's favor in their fight with the U.S. Army Corps of Engineers, landing them a spot among this week's legal lions, while an ego-bruising benchslap in New York court placed a Quinn Emanuel Urquhart & Sullivan LLP partner on the list of legal lambs.

### **KWM Slashes 37 Support Staff Jobs In London**

King & Wood Mallesons LLP has cut 37 business services jobs from its London office as redundant after a consultation process, a representative for the firm confirmed Thursday.

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Brune & Richard  
Chadbourn & Parke  
Clifford Chance  
Cozen O'Connor  
DLA Piper  
Davis Wright Tremaine  
Dechert  
Dentons  
Earthjustice  
Foley & Lardner  
Greenberg Traurig  
Hagens Berman  
Holland & Knight  
Isaac Wiles  
Jones Day  
Katten Muchin  
Katz Marshall  
Kaufman Dolowich  
Kilpatrick Townsend  
King & Wood Mallesons  
Kleinbard LLC  
Kutak Rock  
Labaton Sucharow  
Latham & Watkins  
Mayer Brown  
Miller & Chevalier  
Mintz Levin  
Morris Nichols  
Morvillo LLP  
Nixon Peabody  
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LinkedIn Corp.  
Los Angeles Times  
Luminant Generation Co. LLC  
National Federation of Independent Business  
New York City Transit Authority  
New York Times Co.  
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Public Company Accounting Oversight Board  
Schnitzer Steel Industries, Inc.  
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U.S. Department of Justice  
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Consumer Financial Protection Bureau  
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Federal Communications Commission  
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U.S. Department of Defense  
U.S. Department of Labor  
U.S. Department of the Treasury  
U.S. House of Representatives  
U.S. Senate  
Army Corps of Engineers  
Bureau of Indian Affairs  
Department of Commerce  
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Federal Trade Commission  
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Mashpee Wampanoag Tribe  
NAFTA  
NATO  
National Aeronautics and Space Administration  
National Security Agency  
Occupational Safety and Health Administration  
Office of the Comptroller of the Currency  
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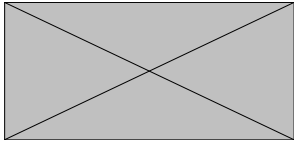
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Wed 7/11/2018 8:31:22 AM  
**Subject:** 'Not A Complicated Case': Kavanaugh's Straightforward Style



**PUBLIC POLICY.**

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**Wednesday, July 11, 2018**

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## SUPREME COURT NOMINATION

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### Feature

#### **'Not A Complicated Case': Kavanaugh's Straightforward Style**

There's no argle-bargle in Judge Brett Kavanaugh's opinions. Instead, he's made a name for himself on the D.C. Circuit with clear, concise writing. [Read more »](#)

### Analysis

#### **With Kavanaugh's Nomination, Chevron's Future Looking Grim**

Confirmation of President Donald Trump's nominee to the U.S. Supreme Court, D.C. Circuit jurist and conservative all-star Brett Kavanaugh, would spell further trouble for federal agencies and so-called Chevron deference, but experts predict that the pro-regulation judicial doctrine is unlikely to be overturned completely in the near future. [Read more »](#)

#### **Dems Need Unified Front To Combat Trump's High Court Pick**

U.S. Senate Democrats have launched their drive to block President Donald Trump's choice of D.C. Circuit Judge Brett Kavanaugh for the U.S. Supreme Court, but the math indicates they must make sure their party ranks hold together. [Read more »](#)

### Feature

#### **5 Tips For Kavanaugh As Confirmation Gets Underway**

D.C. Circuit Judge Brett Kavanaugh, President Donald Trump's nominee to replace retiring Justice Anthony Kennedy on the U.S. Supreme Court, has publicly shared his view that being a judge means following the law — not making it — being impartial and not acting like a jerk. Here, experts share with Law360 five tips for how he can adhere to that philosophy while navigating confirmation hearings. [Read more »](#)

### Analysis

#### **Kavanaugh Dissent Shows Skepticism For Deference To SEC**

U.S. Supreme Court nominee D.C. Circuit Judge Brett Kavanaugh has earned a reputation for being skeptical of "overreaching" federal agencies, a point of view that could significantly influence how the high court defers to the U.S. Securities and Exchange Commission going forward, legal experts said Tuesday. [Read more »](#)

### Analysis

#### **Kavanaugh Could Mean High Court Trouble For CFPB**

D.C. Circuit Judge Brett Kavanaugh would bring to the U.S. Supreme Court a skepticism of regulatory agency authority that could be a boon for the financial services industry and a bummer for the Consumer Financial Protection Bureau, experts say. [Read more »](#)

### Analysis

#### **What Enviro Lawyers Need To Know About Kavanaugh**

President Donald Trump's nomination of D.C. Circuit Judge Brett Kavanaugh to the U.S. Supreme Court has attorneys, industry advocacy groups, environmentalists and

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Gibson Dunn  
GrayRobinson  
Hogan Lovells  
Hoguet Newman  
Holland & Knight  
Jomarron Lopez  
Kasowitz Benson  
Kirkland & Ellis  
Kohn Kohn  
Lowenstein Sandler  
Milbank Tweed  
Munger Tolles  
Norton Rose Fulbright  
O'Melveny & Myers  
O'Neill & Borges  
Ogletree Deakins  
Paul Hastings  
Proskauer Rose

CLV001243

academics delving into his majority opinions, dissents and oral argument comments for clues to his thoughts on matters ranging from climate change to executive agency deference. Here, Law360 takes a look at four key cases that provide insight into his approach to environmental and administrative law matters. [Read more »](#)

#### Feature

### 6 Kavanaugh Employment Cases Lawyers Need To See

As U.S. Circuit Judge Brett Kavanaugh prepares to embark on a potentially contentious confirmation process, a look at his judicial record in labor and employment cases reveals a judge who often sides with employers and tends to take a tough line with federal agencies. Here, Law360 looks at a handful of Judge Kavanaugh's D.C. Circuit employment law opinions that could offer a glimpse as to what his positions on the high court may look like. [Read more »](#)

#### Analysis

### Wave Of FDA Suits Awaits If Kavanaugh Helps Trim Chevron

Numerous legal challenges to U.S. Food and Drug Administration policies are likely if D.C. Circuit Judge Brett Kavanaugh ascends to the U.S. Supreme Court and helps persuade other justices to give less deference to regulators. [Read more »](#)

#### Analysis

### 3 Dissents That Define Kavanaugh's Immigration Record

U.S. Supreme Court nominee Brett Kavanaugh has written dissents over the course of his 12-year tenure as a D.C. Circuit judge asserting that unauthorized immigrants don't have labor rights, that visa applicants' cultural background is irrelevant and that a detained immigrant teen should not be given immediate access to an abortion. Here, Law360 takes a look at Judge Kavanaugh's most notable writings on immigration. [Read more »](#)

#### TOP NEWS

### Senate Approves 1st Trump Nominee To 9th Circ.

The Senate on Tuesday approved former Hawaii Attorney General Mark J. Bennett's nomination to a Ninth Circuit seat with a 72-27 vote, granting President Donald Trump his first confirmation to the influential court. [Read more »](#)

### Trump Issues Post-Lucia Order Nixing Exams For ALJs

President Donald Trump on Tuesday issued an executive order eliminating the competitive examination and selection procedures for appointing administrative law judges, citing "sound policy reasons" for making the exception in the wake of the U.S. Supreme Court's *Lucia v. SEC* ruling last month. [Read more »](#)

### Enviro's Claim Of FERC Industry Bias Rejected By DC Circ.

The D.C. Circuit on Tuesday rejected Delaware Riverkeeper Network's arguments that the Federal Energy Regulatory Commission improperly favors industry and that the agency's practice of issuing tolling orders that delay decisions on requests to revisit pipeline approvals was lawful, affirming a lower court's decision. [Read more »](#)

### Calif. Judge Slashes DOJ Challenge To State Sanctuary Laws

A California federal judge on Monday trimmed the U.S. Department of Justice's suit challenging California's "sanctuary" laws, after finding last week that the government was unlikely to prevail on most of its claims. [Read more »](#)

### Feds Defend Spoofing Indictment Of Software Developer

Federal prosecutors are pushing back on a software company executive's bid to dismiss an indictment accusing him of participating in a spoofing scheme, telling an Illinois federal court on Monday that the anti-spoofing statute isn't unconstitutionally vague and the indictment wasn't arbitrary. [Read more »](#)

#### ENERGY & ENVIRONMENTAL

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Reed Smith  
Sanford Heisler  
Shapiro Arato  
Simpson Thacher  
Snell & Wilmer  
Starn O'Toole  
Stroock & Stroock  
Thompson Coburn  
Vinson & Elkins  
Weil Gotshal

#### COMPANIES

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American Bar Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Immigration Council  
American Immigration Lawyers Association  
American Petroleum Institute Inc.  
Assured Guaranty Ltd.  
Barclays PLC  
CSP Inc.  
Cable News Network Inc.  
Cato Institute  
Chemours Co.  
Chevron Corp.  
Credit Union National Association Inc.  
Delaware Riverkeeper Network  
Enel SpA  
Fannie Mae  
Fogo de Chao Inc.  
Ford Motor Co.  
General Motors  
Globalstar, Inc.  
Honeywell International Inc.  
Independent Community Bankers of America  
Interstate Natural Gas Association of America  
JPMorgan Chase & Co.  
Janus Capital Group Inc.  
Kids in Need of Defense  
Kroll Bond Rating Agency Inc.  
McDonald's Corporation  
Melaleuca Inc.  
Mexican American Legal Defense and Education Fund

## NY Says FERC Trying To Block Review Of GHG Analysis Order

The New York attorney general wrote to the Federal Energy Regulatory Commission on Tuesday saying that the commission's recent order limiting its analysis of downstream greenhouse gas emissions for some gas pipeline projects was designed to shield the policy from judicial review. [Read more »](#)

## EMPLOYMENT

### NLRB Launches Program Aimed At Increasing Use Of ADR

The National Labor Relations Board announced on Tuesday that it will proactively contact parties in a new outreach program to help settle more cases before the board. [Read more »](#)

### Texas AG Warns San Antonio Paid Sick Leave Is Preempted

Texas Attorney General Ken Paxton has fired off a warning letter to the city of San Antonio's mayor and city council, letting it know that municipalities cannot enact an ordinance mandating that employers provide employees paid sick leave because the measure is preempted by state law. [Read more »](#)

## COMPETITION

### FTC Says Prosthesis Co. Merger Should Be Unwound

The Federal Trade Commission urged an administrative law judge in opening statements Tuesday to undo a leading prosthetics manufacturer's purchase of its smaller but highly competitive rival in the market for microprocessor-driven knees, a deal that allegedly threatens the "intense" competition between the companies that pushed prices downward. [Read more »](#)

### EU Tells Spain To Recoup €167M In State Aid From Postal Co.

The European Commission ordered Spain on Tuesday to recover €167 million (\$196 million) in illegal state aid to Correos, the country's postal service, after determining the government-owned company had been overcompensated between 2004 and 2010 and benefited from "incompatible" tax exemptions. [Read more »](#)

## INTERNATIONAL TRADE

### Trump Preparing To Hit China With \$200B In Added Tariffs

The Trump administration on Tuesday ratcheted up the trade war between the U.S. and China, releasing a wide-ranging \$200 billion list of Chinese goods the government said it wants to hit with tariffs, from frozen fish to plastic pipes. [Read more »](#)

### Switzerland Fires Rare WTO Salvo Against US Metal Tariffs

The Trump administration's contentious duties on steel and aluminum prompted a rare World Trade Organization challenge from Switzerland on Tuesday, marking just the fifth time the Central European country has filed a case in the 23-year history of the WTO. [Read more »](#)

## BANKRUPTCY

### Puerto Rico Fights Special Revenue Bond Insurer Appeal

Puerto Rico and its federally appointed financial restructuring advisers urged the First Circuit on Monday to affirm a decision that has freed the commonwealth from an obligation to pay special revenue bondholders while it winds its way through bankruptcy-like proceedings, saying a reversal would "undermine critical infrastructure." [Read more »](#)

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National Consumer Law Center  
National Immigration Law Center  
Natural Resources Defense Council  
New York Times Co.  
PHH Corporation  
Pacific Legal Foundation  
People's United Financial Inc.  
Raymond James Financial Inc.  
Regents of the University of California  
Santander Consumer USA Holdings Inc.  
Space Exploration Technologies Corp.  
Tesco Corporation  
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Twitter Inc.  
United States Council for International Business  
Volkswagen

## GOVERNMENT AGENCIES

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Consumer Financial Protection Bureau  
Department of Commerce  
Equal Employment Opportunity Commission  
European Commission  
European Union  
Executive Office of the President  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Reserve System  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Food and Drug Administration  
National Communications System  
National Highway Traffic Safety Administration

## IMMIGRATION

### USCIS Closes Vt. EB-5 Investor Center Over Ski Resort Fraud

Vermont said Tuesday it has received a termination notice from U.S. Citizenship and Immigration Services, saying it is shutting down the Vermont Regional Center for immigrant investors after an alleged scheme to defraud EB-5 visa holders who invested millions of dollars in the state's Jay Peak ski resort. [Read more »](#)

### US Slaps Visa Sanctions On Laos, Myanmar

The U.S. Department of Homeland Security hit Laos and Myanmar with visa sanctions after the Trump administration determined that the two Asian nations have failed to cooperate sufficiently on taking back nationals the U.S. seeks to deport, the agency said Tuesday. [Read more »](#)

### ICE, CBP Hit With Suit Over Immigrant Arrest Records

The American Immigration Council asked a D.C. federal court Monday to force U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to hand over their immigration enforcement records, claiming the agencies illegally failed to respond to the nonprofit's Freedom of Information Act request. [Read more »](#)

### Travel Ban Ruling Doesn't Apply To DACA, 9th Circ. Told

The Ninth Circuit shouldn't view the U.S. Supreme Court's decision to side with the Trump administration in the travel ban case as a cue for greenlighting the executive branch's rescission of the Deferred Action for Childhood Arrivals program, attorneys representing the University of California, a California county and several immigrants told the court Monday. [Read more »](#)

## NATIVE AMERICAN

### Navajo Nation Wants Radiation Compensation Law Expanded

The Navajo Nation is pressing the U.S. Congress to update a federal law that provides compensation for people who contracted cancer and other serious diseases after being exposed to radiation during Cold War-era nuclear weapons testing, saying that the statute needs to be expanded. [Read more »](#)

### Suit Challenging Census Citizenship Question Amended

A federal lawsuit challenging the Trump administration's decision to include a citizenship question on the 2020 census has been updated to include claims that Native Americans would also be harmed by the inclusion of the query. [Read more »](#)

## TELECOMMUNICATIONS

### Feature

#### Top 3 Groups Lobbying The FCC

During June, telecom lobbyists pressed harder on hot-button issues at the Federal Communications Commission including phone accessibility and model small-cell agreements. Here's a look at the top three groups lobbying the FCC from June 1 to June 30 and a sampling of what they care about. [Read more »](#)

### 'Regulatory Humility' Will Spur New Technologies, Pai Says

Federal Communications Commission Chairman Ajit Pai on Tuesday touted a philosophy of "regulatory humility" undergirding his leadership of the agency, telling a symposium in Switzerland that deferral to market mechanisms is the best way for governments to foster the growth of new technologies. [Read more »](#)

### NTIA Requests FCC Rulemaking On Emergency Network Use

The National Telecommunications and Information Administration, the president's adviser on domestic and international telecommunications policy, asked the Federal Communications Commission on Monday to make rule changes that would allow

National Labor Relations Board  
National Telecommunications and Information Administration  
Navajo Nation  
New York State Senate  
Occupational Safety and Health Administration  
Office of the U.S. Trade Representative  
Securities and Exchange Commission  
U.S. Attorney's Office  
U.S. Census Bureau  
U.S. Customs and Border Protection  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
U.S. Supreme Court  
World Trade Organization



government entities to have priority access to wireless operators' networks in times of emergency. [Read more »](#)

### **SpaceX, Others Back FCC Satellite Rule, But With Tweaks**

SpaceX and other space launch and satellite companies weighed in positively on the FCC's proposed rule to streamline licensing requirements for small satellites in comments made public Tuesday, although commenters also urged the commission to make several tweaks before finalizing the proposal. [Read more »](#)

### **MADD Urges FCC To Keep Car Safety Tech Alive**

Advocacy group Mothers Against Drunk Driving is urging the Federal Communications Commission to work with automakers to deploy a safety technology that would allow cars to communicate wirelessly with each other and infrastructure components to reduce accidents. [Read more »](#)

## **WHITE COLLAR**

### **Jury Hears Of 'Skelos Family Shakedown' As Trial Nears End**

The Manhattan U.S. Attorney's Office made the case to jurors Tuesday that former New York State Senate Majority Leader Dean Skelos and his son Adam used the Long Island Republican's powerful office to extort real estate, environmental and insurance companies, calling it "the Skelos family shakedown." [Read more »](#)

## **EXPERT ANALYSIS**

### **Series**

#### **High Crimes And Misdemeanors: 'Manifest Injury' Is Key**

Under the U.S. Constitution, impeachment requires no charging of crime, no intent to do wrong and no lawbreaking. Rather, impeachment focuses on significance of effect. President Bill Clinton's 1998 impeachment was a clear demonstration of the differences between criminal and impeachment prosecution, says attorney Barbara Radnofsky. [Read more »](#)

#### **New Bill Addresses Systemic Risk In Cannabis Banking**

The newly introduced STATES Act would alleviate most of the issues that financial institutions face in providing services to marijuana-related businesses, say attorneys with Dykema Gossett PLLC. [Read more »](#)

### **Opinion**

#### **The Problem With SEC's Plan To Cap Whistleblower Awards**

The U.S. Securities and Exchange Commission's proposal to reduce payments to whistleblowers in the largest anti-fraud cases completely ignores the central purpose of the Dodd-Frank Act's whistleblower provisions, says Stephen Kohn of Kohn Kohn & Colapinto LLP. [Read more »](#)

### **Opinion**

#### **Law Schools Must Take A Stand Against Mandatory Arbitration**

Later this week, Harvard Law students will begin bidding on interview slots with the nation's top law firms. Our institutions owe it to their students not only to require firms to disclose mandatory arbitration provisions in new associate contracts, but also to bar employers from on-campus recruiting if they require these provisions, says Isabel Finley, a third-year student at Harvard Law School and president of the Harvard Women's Law Association. [Read more »](#)

## **LEGAL INDUSTRY**

### **Global 20: Norton Rose Fulbright**

Norton Rose Fulbright continues to handle cross-border matters in several industry sectors, from guiding Tesco in its \$220 million energy combination with Nabors to successfully defending a banking executive in the JPMorgan "London Whale" case,



winning the firm a place for the sixth consecutive year on Law360's Global 20 list. [Read more »](#)

### **Kasowitz Among Those Exceeding Cravath On Associate Pay**

More than a month after Milbank Tweed Hadley & McCloy LLP sparked the start of the 2018 associate pay raises, more law firms continue to bump up salaries, with Kasowitz Benson Torres LLP on Tuesday announcing big raises that exceed the Cravath scale. [Read more »](#)

### **Ogletree Says Amending Gender Bias Complaint Is 'Futile'**

Ogletree Deakins Nash Smoak & Stewart PC urged a California federal judge Monday to reject a former firm attorney's request to amend her gender bias suit against the labor law powerhouse, arguing that bringing more individuals into the suit would be futile since her dispute is subject to an arbitration agreement. [Read more »](#)

### **Kirkland Booted From For-Profit Law School's ABA Suit**

An Arizona federal judge overseeing a suit by a for-profit law school against the American Bar Association has removed from the case three Kirkland & Ellis attorneys representing the school, including former U.S. Solicitor General Paul D. Clement, saying they have not complied with out-of-state attorney admission procedures. [Read more »](#)

### **Holland & Knight Adds Ex-Reed Smith Team For Philly Launch**

Holland & Knight LLP announced Tuesday it has hired a dozen former Reed Smith LLP attorneys, including a longtime managing partner in Philadelphia, to help launch a new office in the City of Brotherly Love. [Read more »](#)

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American Immigration Council  
American Immigration Lawyers Association  
American Petroleum Institute Inc.  
Assured Guaranty Ltd.  
Barclays PLC  
CSP Inc.  
Cable News Network Inc.  
Chemours Co.  
Credit Union National Association Inc.  
Delaware Riverkeeper Network  
Enel SpA  
Fannie Mae  
Fogo de Chao Inc.  
Ford Motor Co.  
General Motors  
Globalstar, Inc.  
Honeywell International Inc.  
Independent Community Bankers of America  
Interstate Natural Gas Association of America  
JPMorgan Chase & Co.  
Janus Capital Group Inc.

Kids in Need of Defense  
Kroll Bond Rating Agency Inc.  
McDonald's Corporation  
Melaleuca Inc.  
Mexican American Legal Defense and Education Fund  
Nabors Industries Ltd.  
National Association of Manufacturers  
National Conference of State Legislatures  
National Consumer Law Center  
National Immigration Law Center  
Natural Resources Defense Council  
New York Times Co.  
PHH Corporation  
Pacific Legal Foundation  
People's United Financial Inc.  
Raymond James Financial Inc.  
Regents of the University of California  
Santander Consumer USA Holdings Inc.  
Space Exploration Technologies Corp.  
Tesco Corporation  
The Boeing Company  
The City University of New York  
Toyota Motor Corporation  
Twitter Inc.  
United States Council for International Business  
Volkswagen

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Securities and Exchange Commission  
Federal Communications Commission  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Senate  
National Labor Relations Board  
U.S. Immigration and Customs Enforcement  
European Union  
Federal Energy Regulatory Commission  
Federal Reserve System  
Bureau of Citizenship and Immigration Services  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Department of Commerce  
Equal Employment Opportunity Commission  
European Commission  
Executive Office of the President  
Federal Deposit Insurance Corp.  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Food and Drug Administration  
National Communications System

National Highway Traffic Safety Administration  
National Telecommunications and Information Administration  
Navajo Nation  
New York State Senate  
Occupational Safety and Health Administration  
Office of the U.S. Trade Representative  
U.S. Attorney's Office  
U.S. Census Bureau  
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** HcKnowledge  
**Sent:** Wed 5/13/2015 12:28:45 PM  
**Subject:** Understanding New False Claims Act

Good morning,

Compensation of employed and contracted physicians continues to be the focus of high profile **OIG** and Department of Justice cases under the **False Claims Act**. Recent litigation has pursued **Stark law violations** despite the complexity of the law. A recent settlement in the Halifax Hospital Medical Center case for \$85 million demonstrates the potential extent of liability for providers. At the same time, there has been a strong uptick in reported Stark law settlements as well as increased interest in self-disclosing possible violations of the law. [Book Your Spot Today](#)

There are many lessons to be learned from this recent activity. First, providers should be aware of and avoid the types of arrangements that are under the most scrutiny. Further, court cases provide insight into how Stark law exceptions and antikickback safe harbors are being interpreted, **how the government calculates liability**, and the likelihood of settlement. Also, it is becoming clearer when voluntarily disclosing misconduct may make sense to lessen the blow of a violation.

This program will discuss the **recent cases and settlements** in detail and address the lessons to be learned.

[Covering Topics:](#)

- What types of compensation deals are more likely to be scrutinized?
- How to establish that payments are fair market value?
- Whether free meals and other perks can be offered to staff.
- How to “stop the bleeding” if self-referral violations are discovered?
- Critical lessons from recent rulings and settlements.
- Can whistleblower complaints be blunted?
- When is self-disclosure appropriate, and what’s the process?

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**To:** Jason Roeller[jroeller@LasVegasNevada.GOV]  
**Cc:** Betsy Fretwell[efretwell@LasVegasNevada.GOV]; Orlando Sanchez[osanchez@LasVegasNevada.GOV]; Lora Kalkman[lkalkman@LasVegasNevada.GOV]  
**From:** Carolyn G. Goodman  
**Sent:** Thur 2/26/2015 9:42:26 PM  
**Subject:** RE: Fire Alarm Office Staffing is at Critical levels

Hi Jason:

With City Hall closed tomorrow and our Manager out-of-town, I am emailing her and the Deputy City Manager, Orlando Sanchez, to look into this as soon as possible. Thank you for your open communication, and I am hopeful that they will find out what is occurring and work to resolve the problem(s) next week.

Mayor Goodman  
Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

-----Original Message-----

From: Jason Roeller  
Sent: Wednesday, February 25, 2015 11:53 AM  
To: Carolyn G. Goodman  
Cc: Jason Roeller  
Subject: Fire Alarm Office Staffing is at Critical levels

Mrs Mayor Goodman:

I work in the Fire Alarm Office and have for 15 years. Our office staff is painfully struggling thru a massive staff shortage. We are severely understaffed and have been for years now. Our employees are working massive amounts of overtime to keep our staffing requirements to safe levels. Our employees are working extra shifts, up to 16 hour days with only an 8 hour break in between and we are falling apart at the seams. Our E-staff is telling us that the hold up to hire new employees is due to lack of personnel at Human Resources being able to fast track our hiring procedure and we are being placed on a waiting list in the city before any new hiring process can even be started. People with 10 plus years on the job are quitting because their family life is struggling due to the demands being placed on our employees. These are great employees, hard working , and dedicated employees who help save lives everyday. Without staffing there wont be enough personnel to answer 9-11 calls from the public and hold times will increase.

Our call volume has doubled since 2000 and yet our manpower has barely changed during that time. We are fighting for this city and county to be safe however we need personnel immediately. I have never written city hall about our problems ever but our cries for help are not being answered. I have talked to our chiefs numerous times and our hiring is at a snails pace. We have only 5 people in a training class where we need 15. We need 15 people now.

I am begging that HR please fast track our hiring process. It is critical so we are not having 9-11 calls be left on hold or go unanswered. Please help us. We are doing everything we can to serve our public. However without adequate manpower more employees will leave us. We can not afford to lose any more employees. I do not wish to be a whistleblower here and hope that my name be confidential for fear of retaliation. I love my job , we just need help.

CLV001254

Sincerely,

Jason Roeller  
Las Vegas Fire & Rescue  
Fire Communication Specialist for 15 years



**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** HcKnowledge  
**Sent:** Tue 6/16/2015 12:33:02 PM  
**Subject:** [Newsletter] [Marketing Mail] False Claims Act : Review

## About Speaker

Wayne J. Miller is the founding partner of the Compliance Law Group, headquartered in Los Angeles. His law firm focuses on all legal matters for health care industry clients. Wayne has been a healthcare lawyer and consultant throughout his nearly 35-year career. His firm represents clients throughout the U.S. [Read more](#)

## Conference Schedule

Live Audio Conference

Date: Thursday, June 25,  
2015

Time: 1 pm ET | 12 pm CT |  
11 am MT | 10 am PT

Length: 60 minutes

## Who will benefit:

- Hospitals
- Physicians
- Practice managers
- Medical groups
- Health care consultants
- Medical practice
- Facility executives

# Review Physician Compensation Formulas: New Case Law

## Introduction

Compensation of employed and contracted physicians continues to be the focus of high profile OIG and Department of Justice cases under the False Claims Act. Recent litigation has pursued Stark law violations despite the complexity of the law. A recent settlement in the Halifax Hospital Medical Center case for \$85 million demonstrates the potential extent of liability for providers. At the same time, there has been a strong uptick in reported Stark law settlements as well as increased interest in self-disclosing possible violations of the law

There are many lessons to be learned from this recent activity. First, providers should be aware of and avoid the types of arrangements that are under the most scrutiny. Further, court cases provide insight into how Stark law exceptions and antikickback safe harbors are being interpreted, how the government calculates liability, and the likelihood of settlement. Also, it is becoming clearer when voluntarily disclosing misconduct may make sense to lessen the blow of a violation.

This program will discuss the recent cases and settlements in detail and address the lessons to be learned.

## Covering Topics:

- What types of compensation deals are more likely to be scrutinized?
- How to establish that payments are fair market value?
- Whether free meals and other perks can be offered to staff.
- How to "stop the bleeding" if self-referral violations are discovered?
- Critical lessons from recent rulings and settlements.
- Can whistleblower complaints be blunted?
- When is self-disclosure appropriate, and what's the process?

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CLV001256

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CLV001257

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Professionals in Philanthropy  
**Sent:** Mon 1/7/2019 4:14:27 PM  
**Subject:** Forget Your New Year's Resolutions

*Welcome to the January edition of the PiP Squeak, an e-update provided by Professionals in Philanthropy. This is our concise combination of helpful tips on all things charitable and what the PiP team is doing to play our part in providing support through upcoming services.*

[View this email in your browser](#)

## And Goodbye to Your New Year's Resolutions!

Yes, we said it. Forget your New Year's resolutions. Whew! Do you feel better? We sure do.

Seriously, though, we can all probably relate to setting a few really lofty resolutions or perhaps a long, never-ending list of things we want to accomplish this year. The reality is that these often don't last nor do they become the life-long habits we want them to be because we haven't done the most important part—created the plan to make them happen.

PiP enjoys working with our nonprofit clients on creating strategic plans, and we have found there is a similar process in our own personal action plans. Check out this month's [blog post](#) for some friendly pointers to help you transform those lofty resolutions into an actionable plan.

### Community Hero of the Month: Patricia Haddad

Setting the tone for our new year, we can think of no one better than Patricia Haddad as our Community Hero for January. She's a passionate leader in service, working with both [Opportunity 180](#) and the [Young Nonprofit Professionals Network](#). Her fire for service flared brightly during her years as a student at UNLV, and she hasn't turned back since.

Learn more about Patricia below:

*What does service mean to you?*

I have been helped so many times by this community, and I feel a responsibility to extend those gifts back to others. In a community like ours, where there is simultaneously great need *and* one single person can have great impact, to me, "service" means taking that opportunity to heart and doing something about it. I keep a

quote from the Talmud at my desk that relates to service, and it helps focus my intentions about the work to be done. I find it both inspiring and reassuring: "Do not be daunted by the enormity of the world's grief. Do justly now, love mercy now, walk humbly now. You are not obligated to complete the work, but neither are you free to abandon it."

*When did you develop a passion for service?*

My passion for service blossomed while working on my undergraduate degree in sociology at UNLV. A flickering pilot light in my belly turned into a full-fledged fire when I began to learn about how people are affected by institutions and systems. As a kid, I always found being a helper rewarding, and in college, I found myself working in a nonprofit focused on preventing child maltreatment. The gravity of that issue was so massive, and had big implications -- even marginal successes could ripple across issues of education, poverty, crime, economics, you name it. Seeing that work and those implications firsthand helped me begin to internalize the significance, and motivated me to join the legions of people working to make our community a great and safe place to be.

*What was your dream career as a child?*

I dreamed of being a writer. Specifically, the artsy kind that wears lots of rings and writes witty novels at sidewalk cafes in France.

## Just for Fun

The PiP Team wishes you a  
fruitful 2019! Here's to another  
year of bountiful giving and  
service- to yourself and our  
community. :)

## When The Passion Is Gone

What do you tell your donors when you miss your Giving Tuesday goal? Stacey knows! In this Nonprofit Everything podcast, we also talk about what to do when the passion for your cause is gone,

where to find a whistleblower policy template (the [ANN website](#), for one), and whether you should budget for break-even or a surplus. And Andy and Stacey are completely mystified by a board member who wants to upend the mission because it's "just a band-aid."

[Catch the latest here](#) or [send in your questions](#) to be answered in our next podcast!

## **Congrats to Our Recent PiP Graduate**

After traveling and studying in three countries, our Communication Coordinator, [Samantha Trieu](#), has graduated from UNLV's Communication Studies program. Samantha has been a gem to PiP, offering countless creative ideas and fun approaches to liven up our communications and keep our readers engaged. We wish her all the best in her future endeavors and are honored to have her as part of the PiP team!

Nominate our next Community Hero [here](#) or let us know directly at [PiPAdvisor@profinphil.com](mailto:PiPAdvisor@profinphil.com).

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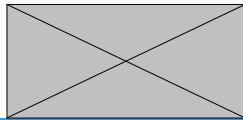
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 10/11/2016 7:52:35 AM  
**Subject:** [Marketing Mail] Despite Progress, Big Obstacles Still Loom For Paris Deal



**PUBLIC POLICY**

## EXPLORE WHAT'S INSIDE LEXIS PRACTICE ADVISOR

Check out the topics we cover, the forms we offer, and where our practical guidance will take you.

**Tuesday, October 11, 2016**

### TOP NEWS

#### **Despite Progress, Big Obstacles Still Loom For Paris Deal**

The landmark global climate change deal brokered in Paris cleared an important hurdle this week when it secured enough official support to go into effect, but experts say the biggest hurdle — signatory countries turning their emissions, clean energy and climate adaptation financing goals from mere promises into reality — still lies ahead.

#### **Uber Gets OK To Run In Philly In Reversal Of Day-Old Order**

Uber and Lyft will be able to operate in Philadelphia after a Pennsylvania appellate judge on Friday granted an emergency petition from Uber Technologies Inc. reversing an order from a state judge barring ride-hailing activities one day earlier.

#### **Spanish Agency To Probe WhatsApp, Facebook Data-Sharing**

The Spanish Data Protection Agency has added its voice to the choir of privacy regulators concerned about WhatsApp's plan to begin sharing user data with parent company Facebook, saying Wednesday that it will look into the mobile messenger's new practice.

#### **Feds, Sierra Club Urge 10th Circ. To Reinstate Fracking Rules**

The federal government and the Sierra Club urged the Tenth Circuit on Friday to overturn a federal judge's decision to nix the Bureau of Land Management's regulations governing hydraulic fracturing on federal and Native American lands, saying the rule is within the BLM's authority.

#### **Tax Pros Push Tweaks In New IRS Partnership Audit Rules**

The American Institute of Certified Professional Accountants urged the Internal Revenue Service on Friday to consider a series of recommendations for its new partnership audit regime, as the agency susses out how to implement major reforms recently mandated by Congress.

#### **Menendez Faces Renewed Corruption Charges**

A federal grand jury revived a handful of previously dismissed criminal corruption charges against Sen. Robert Menendez, D-N.J., and a prominent political donor, returning a superseding indictment Thursday that prosecutors say cures a charging defect regarding allegations of official acts done in exchange for campaign and legal defense fund donations.

#### **US Accuses Russia Of Hacking DNC To Tamper With Elections**

### LAW FIRMS

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Bancroft PLLC  
Banner & Witcoff  
Berkowitz Oliver  
Browne George  
Bryan Cave  
Buchanan Ingersoll  
Cohen Milstein  
Condon & Forsyth  
Constangy Brooks  
Covington & Burling  
Crowell & Moring  
Cuddy & Feder  
Curtin & Heefner  
DLA Piper  
Debevoise & Plimpton  
Earthjustice  
Fisher Phillips  
Fredericks Peebles  
Gibbons PC  
Gibson Dunn  
Greenberg Traurig  
Hogan Lovells  
Hunton & Williams  
Jackson Walker  
Kaplan Kirsch  
Kaye McLane  
Kirkland & Ellis  
Latham & Watkins  
Law & Lewis

CLV001262

U.S. officials on Friday said the Russian government was behind a cyberattack of the Democratic National Committee that led to the disclosure of tens of thousands of internal emails on WikiLeaks and elsewhere, saying the hack was “intended to interfere with the U.S. election process.”

## ANALYSIS

### 4 Takeaways From The Global Pact To Cut Airplane Emissions

A United Nations-backed accord to cap greenhouse gas emissions from commercial airliners is the first global framework for managing the international aviation sector's carbon footprint and reducing air pollution, marking what could be the first step toward new airplane emissions regulations covering the U.S. and over 100 other countries.

### Senate Defense Acquisition Overhaul May Be Too Ambitious

The Senate Armed Services Committee's proposal to promote innovation by splitting the defense acquisition, technology and logistics undersecretary role into separate positions may suffer from being too revolutionary, experts say, and could end up being less effective than planned.

### Pa. Cases Could Pave Clearer Path For Local Fracking Laws

Pennsylvania towns have gained greater capacity to limit oil and gas drilling operations through recent court victories, but those rulings also have left municipalities facing a web of uncertainty in regulating fracking that the state Supreme Court could help untangle through pending cases on local zoning powers and citizens' environmental rights, experts say.

### Vow To Break Up Wells Fargo Likely An Empty Threat

A top House Democrat recently vowed to break up Wells Fargo & Co. over the creation of more than 2 million unauthorized accounts, but experts said that even if a political path existed to do so, there was no legislative way to attack Wells without targeting other big banks.

## ENERGY & ENVIRONMENTAL

### Exxon Accused Of Using Tax-Exempt Group To Lobby

Two watchdog groups have accused Exxon Mobil Corp. of intentionally misusing a conservative group with tax-exempt nonprofit status to advance the oil giant's legislative agenda to sow uncertainty about climate science.

### Supreme Court Urged To Review EPA Water Rule Jurisdiction

An American Farm Bureau Federation-led coalition of industry groups said Friday that the U.S. Supreme Court should review the Sixth Circuit decision to assert exclusive jurisdiction to review the controversial Clean Water Rule, and end “once and for all” the jurisdictional quandary that has led to suits scattered nationwide.

### API Looks To Pause Suit Over EPA's Tribal Land Oil, Gas Rule

The American Petroleum Institute has moved to pause its D.C. Circuit challenge to the U.S. Environmental Protection Agency's plan to limit emissions of harmful air pollutants and streamline the preconstruction permitting process for oil and natural gas production and natural gas processing industries operating in Indian Country.

### New Pa. Fracking Regs To Finally Take Effect

A long-anticipated set of updates to rules governing hydraulic fracturing at oil and gas wells in Pennsylvania went into effect Saturday, in spite of a last-ditch effort from an industry group to delay their publication.

## MEDIA & ENTERTAINMENT

Lawrence Beach  
Lewis Roca  
Loeb & Loeb  
McCarter & English  
McElroy Deutsch  
Morrison & Foerster  
O'Melveny & Myers  
Paul Hastings  
Potter Minton  
Quinn Emanuel  
Reed Smith  
Sanford Heisler  
Saul Ewing  
Sheppard Mullin  
Sidley Austin  
Skadden  
Snell & Wilmer  
Stinson Leonard  
Stroock & Stroock  
The Employment Law Group  
Weil Gotshal  
Weisbrod Matteis  
White and Williams  
WilmerHale

## COMPANIES

Air Transport Association of America  
American Civil Liberties Union  
American Enterprise Institute  
American Farm Bureau Federation  
American Legislative Exchange Council  
American Petroleum Institute Inc.  
American Road & Transportation Builders Association  
American Trucking Associations Inc.  
Apple Inc.  
Avaya Inc.  
Bank of America Corporation  
Barnes & Noble Inc  
Center for Strategic and International Studies  
Comcast Corporation  
Consolidated Edison Inc.  
Costco Wholesale Corporation  
Daimler AG  
EMI Group Ltd.  
Electronic Privacy Information Center  
Environmental Defense Fund Inc.



## NCAA Moves 2017 Basketball Tourney Games From NC To SC

The NCAA said Friday that the 2017 men's basketball tournament games pulled from North Carolina over the state's controversial transgender bathroom law will instead be played in Greenville, South Carolina, marking the first time South Carolina will host tournament games since the NCAA lifted a ban on the Palmetto State after it agreed to stop displaying the Confederate flag.

## NJ Asks Supreme Court To Review Sports Betting Case

The state of New Jersey asked the U.S. Supreme Court on Friday to review a Third Circuit decision striking down the Garden State's attempts to allow sports betting at its casinos and racetracks, arguing the ruling is an unconstitutional "takeover" of the state's right to pass and repeal its own laws.

## TRANSPORTATION & INFRASTRUCTURE

### Truckers Say Speed-Limiter Rule May Compromise Safety

The American Trucking Associations expressed concern with a proposed U.S. Department of Transportation rule seeking to implement speed-limitation devices in heavy-duty trucks and vehicles, saying on Thursday the new systems could possibly result in making roads less safe.

### GWB Scandal Defendant Not A 'Decision Maker,' Witness Says

An attorney for a former public official on trial over the George Washington Bridge lane closures said Friday that a former colleague did not consider her to be a "decision maker" in an effort to debunk claims that she ordered the closures for political revenge.

## EMPLOYMENT

### NJ Whistleblower Deal Spurs Call For Public Record Law

The publicizing of New Jersey's agreement to pay \$1.5 million to settle a former assistant county prosecutor's whistleblower lawsuit has motivated the introduction of a bill in the state Assembly that would bar public entities and public employees from confidentially settling whistleblower suits, according to an announcement Friday.

## PRIVACY & CONSUMER PROTECTION

### Microsoft Holds Up Cybersecurity Framework As Global Model

The voluntary cybersecurity framework developed through a collaboration between the federal government and the private sector two years ago provides a strong model for coming up with an effective global approach to tackling cyberthreats, Microsoft's cybersecurity policy director said Thursday.

## GOVERNMENT CONTRACTS

### Ex-NJ Lawmaker Pleads Guilty In \$5.3M Misconduct Case

A former New Jersey lawmaker pled guilty Friday in New Jersey state court to stealing nearly \$1.9 million in loans for a housing venture and writing more than \$3.4 million in bad checks in connection with his various businesses, according to the state attorney general's office.

### NY Health Dept. Wrongly Denying Speech Aids, Suit Says

The New York State Department of Health uses an arbitrary standard to improperly deny Medicaid patients with communication issues access to medically necessary speech-generating devices, according a potential class action filed Thursday in New York federal court.

Exxon Mobil Corporation  
Facebook  
Google Inc.  
Helsinn Healthcare SA  
JPMorgan Chase & Co.  
Litigation Insights Inc.  
Lyft Inc.  
Major League Soccer LLC  
Microsoft Corporation  
Mosaic Life Care  
NFL Enterprises LLC  
National Association of Home Builders  
National Association of Manufacturers  
National Association of Realtors  
National Basketball Association  
National Cattlemen's Beef Association  
National Collegiate Athletic Association  
National Corn Growers Association  
National Mining Association  
Natural Resources Defense Council  
Neiman Marcus Group  
New England Patriots  
Samsung Electronics Co. Ltd.  
SavaSeniorCare LLC  
Savills Studley Inc.  
Sierra Club  
Signal International Inc.  
Southern Poverty Law Center  
TechFreedom  
Tenet Healthcare Corporation  
The DIRECTV Group, Inc.  
UBS AG  
Uber Technologies Inc.  
Verizon Communications  
VirnetX Holding Corporation  
Wells Fargo & Co.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bureau of Labor Statistics  
Bureau of Land Management  
Consumer Financial Protection Bureau  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications

## SIGAR Says DOD May Be Paying For Afghan 'Ghost' Soldiers

The Special Inspector General for Afghanistan Reconstruction in a letter made public Friday asked the Pentagon to explain its recent efforts to ensure the accuracy of the Afghanistan military personnel databases, citing reports of payments potentially being made to nonexistent "ghost" soldiers.

## INTERNATIONAL TRADE

### Obama Ends Sanctions On 200 Burmese Leaders, Companies

President Barack Obama on Friday ended several sanctions programs against Burma that had been built up over nearly two decades, saying that the country's steps toward democracy and freedom justify ending prohibitions against doing business with about 200 companies and individuals.

## TAX

### Pol Questions NYC's Property Tax Lien Sale Process

New York City's process of selling property tax liens gives landlords incentive to neglect buildings and harass tenants and should be revised to help preserve more affordable housing, according to a report from the city's public advocate released Friday.

## IMMIGRATION

### DHS, Detained Immigrants Clash Over Database Doc Requests

The Department of Homeland Security on Friday exchanged blows over a document production bid with immigrants who say they were unlawfully held by Los Angeles County officers based on warrantless requests by U.S. Immigration and Customs Enforcement, contending that information in the requested documents is protected by statutes and regulations.

## TELECOMMUNICATIONS

### FCC Chair's Leaks Within His Authority, Watchdog Says

Federal Communications Commission Chairman Tom Wheeler authorized media leaks regarding a last-minute compromise on the agency's Lifeline low-income subsidy, but that disclosure was within his authority and didn't influence the scuttling of the compromise, the FCC's Office of Inspector General has concluded.

### FCC Head Proposes 'Light Touch' For New Biz-Data Players

Federal Communications Commission chief Tom Wheeler on Friday unveiled a scaled-back plan for regulating the market for business data services, in which he now seeks to apply "targeted regulation" of legacy services while using a "lighter touch" in developing areas of the market.

### FCC Lifts Sunshine Restrictions On Set-Top Box Plan

The Federal Communications Commission has lifted so-called sunshine period restrictions in order to allow outside groups to weigh in on its set-top box plan following calls for more transparency, a week after the FCC pulled the controversial item from its September meeting agenda.

## EXPERT ANALYSIS

### 10 Things To Look For This Supreme Court Term

This term of the U.S. Supreme Court will probably be one of the oddest in our history, according to Jim Brosnahan, senior trial counsel with Morrison & Foerster

Commission  
Federal Deposit Insurance Corp.  
Federal Financial Institutions  
Examination Council  
Federal Reserve System  
Federal Trade Commission  
Government Accountability Office  
Immigration and Customs  
Enforcement  
Internal Revenue Service  
National Highway Traffic Safety  
Administration  
National Institute of Standards and  
Technology  
National Labor Relations Board  
New Jersey Legislature  
New York State Department of  
Health  
Office of Foreign Assets Control  
Office of the Comptroller of the  
Currency  
Office of the Director of National  
Intelligence  
Port Authority of New York & New  
Jersey  
Securities and Exchange  
Commission  
Special Inspector General for  
Afghanistan Reconstruction  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Homeland  
Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of Veterans  
Affairs  
U.S. Department of the Treasury  
U.S. Environmental Protection  
Agency  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
U.S. Supreme Court  
United Nations  
Ute Indian Tribe  
Wage and Hour Division

LLP. Here are some of the dynamics to look for between now and June 2017.

### **Practical Steps For Contractor Sick Leave Compliance**

The U.S. Department of Labor's final rule requiring federal contractors and subcontractors to provide paid sick leave for certain employees imposes another set of onerous requirements on federal contractors. The regulations will be particularly burdensome for small or midsize contractors, given the administrative costs for tracking and complying with the complex regulatory requirements, say attorneys at Akin Gump Strauss Hauer & Feld LLP.

### **New York State's Energy Marketplace Heading Into 2016 Q4**

At the start of the final quarter of 2016, a number of important initiatives are transforming New York state's energy marketplace. Neil Alexander and Lucia Chiochio of Cuddy & Feder LLP offer a survey of some significant programs around the state.

### **A Battle Over The Business Of Rooftop Solar**

Rooftop solar companies have been the beneficiaries of favorable treatment by taxing authorities, legislatures and regulators. But now, the economics of the business and the level of subsidies it receives are being questioned in state utility regulatory proceedings. And, understandably, businesses that are built around tax breaks and subsidies are loathe to give up the status quo, says Raymond Heyman of Snell & Wilmer LLP.

## **LEGAL INDUSTRY**

### **Sept. Marks 3 Months Of Weak Legal Sector Jobs Growth**

Legal services jobs remained relatively flat for the third month in a row in September, adding a mere 400 jobs since August and eking out a meager 0.25 percent increase over employment levels last year, according to data released Friday by the U.S. Bureau of Labor Statistics.

### **Lawyers Should Apologize More Often, Law Professor Says**

Lawyers should consider copping to their mistakes and apologizing to clients more often in order to avoid ethics violations, according to a new academic paper examining attorney behavior.

### **EMI Hires Ex-DOJ Debevoise Atty in Malaysian Cash Case**

EMI Music Publishing Management LLC has hired a Debevoise & Plimpton LLP attorney previously with the U.S. Department of Justice to represent it in a California federal civil forfeiture suit over allegedly laundered money from a Malaysian state-owned investment fund.

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Attorneys for Tiffany & Co. topped the legal lions list this week when they won an \$8.25 million jury verdict for the jeweler in a long trademark dispute with Costco while Potter Minton PC and Kirkland & Ellis LLP stood out as legal lambs after a Texas federal jury leveled a \$300 million verdict against their client, Apple, for infringing patents with its FaceTime technology.

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

A consumer data breach class action shows plaintiffs can win on standing and fail elsewhere, the CFPB's information security infrastructure falls short, and the D.C. Circuit slams the NLRB for a money-wasting litigation "suicide mission." Those stories top the corporate legal news you may have missed last week.

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

### **Pro Bono Firms Of 2016: Skadden Arps**

A year of victories, including freeing a man from a wrongful rape and murder

conviction after 33 years in prison and securing compensation for Signal International's trafficked shipyard laborers, has landed Skadden Arps Slate Meagher & Flom LLP a spot among Law360's Pro Bono Firms of 2016.

### **Rainmaker Q&A: Jackson Walker's Mary Emma Karam**

Don't focus on the money, focus on the service. Practicing law is a lifelong career where the relationships you build and the people you help are the things that make up your legacy and make life more rewarding, says Mary Emma Karam, chairwoman of business development and marketing at Jackson Walker LLP.

### **Rainmaker Q&A: Reed Smith's Scott Bolden**

When someone asks me how I have continued to be a successful business developer, I like to say, "Skate to where the puck will be, not where it is right now." The legal industry changes daily so you need to continually think ahead, and your clients will really appreciate you thinking ahead for them, says Scott Bolden, partner at Reed Smith LLP.

#### **JOBS**

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---

#### **LAW FIRMS**

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Sheppard Mullin  
Sidley Austin  
Snell & Wilmer  
Stinson Leonard  
Stroock & Stroock  
The Employment Law Group  
Weil Gotshal  
Weisbrod Matteis  
White and Williams

#### COMPANIES

American Civil Liberties Union  
American Petroleum Institute Inc.  
Apple Inc.  
Avaya Inc.  
Comcast Corporation  
Costco Wholesale Corporation  
Environmental Defense Fund Inc.  
Google Inc.  
NFL Enterprises LLC  
National Collegiate Athletic Association  
VirnetX Holding Corporation  
Wells Fargo & Co.  
Air Transport Association of America  
American Enterprise Institute  
American Farm Bureau Federation  
American Legislative Exchange Council  
American Road & Transportation Builders Association  
American Trucking Associations Inc.  
Bank of America Corporation  
Barnes & Noble Inc  
Center for Strategic and International Studies  
Consolidated Edison Inc.  
Daimler AG  
EMI Group Ltd.  
Electronic Privacy Information Center

Exxon Mobil Corporation  
Facebook  
Helsinn Healthcare SA  
JPMorgan Chase & Co.  
Litigation Insights Inc.  
Lyft Inc.  
Major League Soccer LLC  
Microsoft Corporation  
Mosaic Life Care  
National Association of Home Builders  
National Association of Manufacturers  
National Association of Realtors  
National Basketball Association  
National Cattlemen's Beef Association  
National Corn Growers Association  
National Mining Association  
Natural Resources Defense Council  
Neiman Marcus Group  
New England Patriots  
Samsung Electronics Co. Ltd.  
SavaSeniorCare LLC  
Savills Studley Inc.  
Sierra Club  
Signal International Inc.  
Southern Poverty Law Center  
TechFreedom  
Tenet Healthcare Corporation  
The DIRECTV Group, Inc.  
UBS AG  
Uber Technologies Inc.  
Verizon Communications

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Supreme Court  
Federal Communications Commission  
Federal Trade Commission  
U.S. Environmental Protection Agency  
Consumer Financial Protection Bureau  
Federal Reserve System  
Internal Revenue Service  
National Labor Relations Board  
Securities and Exchange Commission  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of the Treasury  
United Nations  
Army Corps of Engineers  
Bureau of Labor Statistics  
Bureau of Land Management  
Executive Office of the President

Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Financial Institutions Examination Council  
Government Accountability Office  
Immigration and Customs Enforcement  
National Highway Traffic Safety Administration  
National Institute of Standards and Technology  
New Jersey Legislature  
New York State Department of Health  
Office of Foreign Assets Control  
Office of the Comptroller of the Currency  
Office of the Director of National Intelligence  
Port Authority of New York & New Jersey  
Special Inspector General for Afghanistan Reconstruction  
U.S. Army  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of Veterans Affairs  
U.S. House of Representatives  
U.S. Patent and Trademark Office  
Ute Indian Tribe  
Wage and Hour Division

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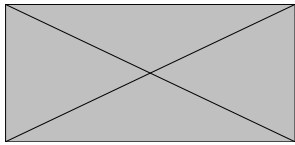
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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 3/16/2017 7:53:49 AM  
**Subject:** [Marketing Mail] Trump Budget Request To Seek State Dept. Cuts, Wall Funds



PUBLIC POLICY

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Thursday, March 16, 2017

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## TOP NEWS

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### Trump Budget Request To Seek State Dept. Cuts, Wall Funds

The Trump administration is expected to unveil a budget blueprint Thursday that will propose dramatic cuts to the State Department and U.S. Environmental Protection Agency, while seeking billions more for defense issues and \$1.5 billion for the president's proposed U.S.-Mexico border wall.

### Hawaii Federal Judge Blocks Trump's New Travel Ban

A Hawaii federal judge on Wednesday blocked President Donald Trump's latest version of an immigration ban prohibiting the entry of people from six Muslim-majority countries from taking effect nationwide, while the president told a cheering crowd in Tennessee he planned to defend his order all the way up to the U.S. Supreme Court.

### Sens. Won't Say If FBI Has Launched Trump Russia Probe

Lawmakers on Wednesday following a meeting with FBI Director James Comey refused to reveal whether the FBI is investigating potential links between campaign staff for President Donald Trump and Russian officials, as House Intelligence Committee leaders pushed back against Trump's claims that he had been wiretapped by the previous administration.

#### Analysis

### There's More On USTR's Plate Than New Tariffs And NAFTA

Most of the Trump administration's trade policy has focused on overhauling the North American Free Trade Agreement and imposing punitive tariffs, but Tuesday's hearing to consider a new U.S. trade representative brought to light the litany of other trade issues facing the White House.

### Trump National Security Adviser Pick Gets Senate OK

The Senate approved the reappointment of President Donald Trump's pick for national security adviser Wednesday, allowing Lt. Gen. H.R. McMaster to retain his active duty rank while on the job.

### Senate Confirms Coats As Trump's Intel Chief

The Senate approved President Donald Trump's pick to lead the intelligence community Wednesday, as former Sen. Dan Coats, R-Ind., sailed through a pair of votes.

### Sessions Promises Renewed DOJ Focus On Violent Crime

U.S. Attorney General Jeff Sessions on Wednesday said that the U.S. Department of Justice's top priority under his leadership is reducing violent crime, telling a group of law enforcement officials in Virginia that the agency will focus on federal prosecution of firearm crimes and the dismantling of drug cartels.

#### Analysis

### Legal Fight Certain As Trump Targets Auto Emission Regs

## LAW FIRMS

Alston & Bird  
Arent Fox  
Arnold & Porter Kaye Scholer  
BakerHostetler  
Buchanan Ingersoll  
Chimicles & Tikellis  
Cooper & Kirk  
Covington & Burling  
Dorsey & Whitney  
Duane Morris  
Earthjustice  
Fish & Richardson  
Fragomen Del Rey  
Fredericks Peebles  
Frost Brown Todd  
Greenberg Traurig  
Hausfeld  
Hogan Lovells  
Hughes Hubbard  
Hunton & Williams  
Lawyers' Committee for Civil Rights  
Levine Kellogg  
Levine Sullivan  
Mayer Brown  
McDermott Will  
Michael Best  
Morvillo Abramowitz  
Murthy Law Firm  
Paul Hastings  
Perkins Coie  
Polsinelli  
Priddy Cutler  
Quinn Buseck  
Sheppard Mullin  
Skadden  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Winston & Strawn

CLV001271



The Trump administration may have spared itself some immediate legal battles by choosing not to nix California's ability to impose its own automobile greenhouse gas emissions regulations while federal auto emissions standards are being reviewed, but experts say any attempt to roll back federal fuel efficiency requirements will spark litigation.

### **Schumer, Blumenthal Criticize Gorsuch For Labor Rulings**

A pair of top Democrats continued their criticism of President Donald Trump's U.S. Supreme Court pick Wednesday, saying Judge Neil Gorsuch "has to answer" questions on his prior cases on consumer protections and labor law.

### **17 GOP Reps Acknowledge Climate Change, Press For Action**

A group of House Republicans demanded "conservative" action on climate change in a new resolution Wednesday that aims to change the conversation in the GOP from questioning whether climate change is real toward figuring out how to fight its effects while expanding the U.S. economy.

## **BANKING & SECURITIES**

### **OCC Releases Draft Guidelines For Issuing Fintech Charters**

A U.S. bank regulator on Wednesday released its draft licensing manual outlining how financial technology firms can apply for and obtain new special national bank charters.

### **CFTC Chair Nominee Urges Scaling Back 'Flawed' Regs**

Acting Commodity Futures Trading Commission Chairman Christopher Giancarlo, nominated by President Donald Trump to lead the agency permanently, on Wednesday urged the CFTC to turn away from "flawed and excessive regulation" that he says is damaging derivatives markets and economic growth broadly.

### **Payday Lenders Appeal Choke Point Injunction Loss**

Payday lenders seeking to stop federal banking regulators from allegedly pressuring banks to cut off their account access asked the D.C. Circuit on Tuesday to review a devastating February ruling that denied their quest for a preliminary injunction.

## **ENERGY & ENVIRONMENTAL**

### **EPA, DOT Take Aim At Auto Emissions Standards**

The leaders of the U.S. Environmental Protection Agency and U.S. Department of Transportation said Wednesday they will revisit Obama-era standards on greenhouse gas emissions for 2022 to 2025 model cars and light trucks, a win for automakers that said the standards were too tough to meet.

### **Enviros Fight EPA For Pruitt's Emails**

The Center for Biological Diversity said Wednesday it has filed an administrative appeal of the U.S. Environmental Protection Agency's decision to deny its request for any and all communications to and from new EPA Administrator Scott Pruitt since he was confirmed by the Senate.

### **DOI Plans To Rescind Obama-Era Fracking Rule**

The federal government is planning to take back hydraulic fracturing regulations finalized in 2015 now that Pres. Donald Trump's administration is in charge, according to a filing Wednesday asking the Tenth Circuit to put off oral arguments at least until the government makes its move.

### **Groups Push For Permanent Delaware Watershed Frack Ban**

More than 180 groups including the Delaware Riverkeeper Network, Sierra Club, Earthjustice and Greenpeace USA submitted a letter to the Delaware River Basin Commission Wednesday calling for a permanent ban on fracking within the Delaware River Watershed, according to a news release announcing the request.

## **COMPANIES**

ALC Holdings LLC

AT&T Inc.

Alliance of Automobile Manufacturers

Amazon.com Inc.

American Bar Association

American Civil Liberties Union

American Conference Institute

American Federation of Labor and Congress of Industrial Organizations

Ameriprise Financial, Inc.

Apple Inc.

BDO LLP

BuzzFeed Inc.

Center for Biological Diversity Inc.

CenturyLink Inc.

Chambers and Partners

Community Financial Corp.

Competitive Carriers Association

Council on Foreign Relations

Delaware Riverkeeper Network

Environmental Defense Fund Inc.

Facebook

FedEx Corporation

Franciscan Alliance Inc.

Global Automakers

Google Inc.

Hong Kong Exchanges and Clearing

International Brotherhood of Teamsters

King Pharmaceuticals Inc.

Lawyers' Committee for Civil Rights Under Law

Liberty Medical Supply Inc.

LinkedIn Corp.

Medtronic Inc.

Mexican American Legal Defense and Education Fund

National Basketball Association

National Cable & Telecommunications Association

National Collegiate Athletic Association

National Fuel Gas Co.

New York Times Co.

New York University

Oracle Corp.

Pfizer Inc.

Public Knowledge

Shanghai Stock Exchange Ltd.

CLV001272

## Texas Files Suit At 5th Circ. Over Yucca Mountain Inaction

The state of Texas on Tuesday sued several federal agencies in the Fifth Circuit over the federal government's failure to complete the licensing process for a nuclear waste storage repository at Yucca Mountain, Nevada, saying it has violated the Nuclear Waste Policy Act.

## Gas Co. Wants Enviros Kept Out Of Pa. Fracking Waste Case

Seneca Resources Corp. has told the Third Circuit that three environmentally minded groups attempting to intervene in a dispute over a Pennsylvania municipality's decision to drop an ordinance preventing the company from storing fracking waste underground do not have the right to intervene because they have suffered no actual injury that would involve them in the case.

## HEALTH & LIFE SCIENCES

### Dems. Blast HHS' 'Misguided' Plan To Ease Medicaid Rules

Two top Democrats on Tuesday criticized the U.S. Department of Health and Human Services' plan to fast-track approvals of waivers looking to test different ways of delivering Medicaid funds and said the agency must ensure that any such programs are in line with what Congress intended Medicaid to do.

### HHS Urges Justices To Uphold Obama ACA Enforcement Rule

The D.C. Circuit correctly ruled that West Virginia hasn't been harmed by the Obama administration's decision not to enforce certain Affordable Care Act insurance standards, the U.S. Department of Health and Human Services recently told the U.S. Supreme Court.

### Texas Seeks To Close Door On HHS Transgender Bias Rule

Several states and medical groups on Tuesday sought to make final a Texas federal court's temporary injunction blocking U.S. Department of Health and Human Services guidance that bars discrimination on the basis of gender identity from taking effect.

### Greenberg Traurig Atty Brings Deep Resume To HHS Post

The Trump administration's pick for second-in-command at the U.S. Department of Health and Human Services is a Greenberg Traurig LLP attorney with two decades of health care experience as a civil servant, private practice deal-maker and international liaison.

## CAPITAL MARKETS

### China, Hong Kong Plan To Link Bond Markets

The Hong Kong Stock Exchange owner said Wednesday it has begun preparatory work for a connection that will link its bond market with mainland China, boosting its role as an international financial center while allowing China to expand its capital markets to overseas investors.

## MEDIA & ENTERTAINMENT

### Buzzfeed Seeks Toss, Transfer Of Suit Over Trump Dossier

A Russian technology executive's defamation lawsuit against BuzzFeed for publishing a dossier alleging Russia has compromising information on President Donald Trump without redacting his name has no business being decided in Florida federal court and should be dismissed or moved to New York, the media company argued on Tuesday.

## EMPLOYMENT

Shenzhen Stock Exchange

Sierra Club

Tax Foundation

The Boeing Company

TransAm Trucking Inc.

Twitter Inc.

U.S. Chamber of Commerce

United States Telecom Association

Walgreen Co.

Zeughauser Group LLC

## GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Citizenship and Immigration Services

Bureau of Labor Statistics

Bureau of Land Management

Centers for Medicare & Medicaid Services

Central Intelligence Agency

Commodity Futures Trading Commission

Congressional Budget Office

Defense Intelligence Agency

Delaware River Basin Commission

Department of Commerce

Executive Office of the President

Export-Import Bank of the United States

Federal Bureau of Investigation

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Election Commission

Federal Reserve System

Federal Trade Commission

Financial Stability Oversight Council

Food and Drug Administration

Indiana Attorney General's Office

Internal Revenue Service

Kentucky Legislature

Lumbee Tribe of North Carolina

NAFTA

National Labor Relations Board

National Security Agency

National Security Council

New York Attorney General's Office

New York State Department of Financial Services

Nuclear Regulatory Commission

CLV001273

## NLRB Legal Chief Says Funding Shortfall Has Hurt Operations

The top lawyer for the National Labor Relations Board told regional offices that years of underfunding have left the agency unable to adequately staff itself or pursue necessary upgrades, in a memo sent just days before the Trump administration will unveil a proposed budget that is expected to steeply cut funding for numerous agencies.

## 6th Circ. Won't Vacate Ky. County Right-To-Work Ruling

The Sixth Circuit on Wednesday declined a request by a group of unions to vacate as moot its November order allowing part of a Kentucky county's right-to-work ordinance to stand, saying the interplay between the local law and a new statewide law passed in January is up to the state's legislature, not the courts.

## Port Authority Ducks Ex-Worker's NJ Whistleblower Suit

A New Jersey appeals court on Wednesday rejected a retaliation suit alleging the Port Authority of New York and New Jersey forced a police inspector into retirement, saying a lack of parallel whistleblower statutes in both New York and New Jersey bars the suit.

## COMPETITION

### Experts Want Coordination Of Competition, Trade Policies

A group of experts commissioned by the U.S. Chamber of Commerce released a report Tuesday calling for more coordination of competition and international trade policies to prevent other countries from using antitrust enforcement actions inappropriately.

## PRIVACY & CONSUMER PROTECTION

### NC Lawmakers Say NCAA, ACC 'Lobbying' On Bathroom Law

North Carolina state lawmakers introduced a bill on Tuesday challenging the NCAA's and Atlantic Coast Conference's federal tax-exempt status, alleging they engaged in "excessive lobbying activities" in moving events such as games in this year's NCAA basketball tournament from the state over its transgender bathroom law.

## AEROSPACE & DEFENSE

### White House Picks Top NSA Hacker For Cybersecurity Chief

The White House has picked National Security Agency official Rob Joyce as its new "cyber czar," a role that will give him oversight of the executive branch's cybersecurity efforts, an administration official confirmed Wednesday.

### 5th Circ. Won't Rehear 3-D Gun Printing Restriction Dispute

The Fifth Circuit on Wednesday declined to rehear en banc a gun advocacy group's argument that the U.S. Department of State had wrongfully barred it from posting digital firearm designs for 3-D printing online.

## TAX

### Obama Admin. Wonks Dismiss Border Tax Projections

The border adjustment tax, a central component of the GOP framework for corporate tax reform, is unlikely to raise the \$1.2 trillion in additional revenue Republicans are relying on to pay for steep rate cuts, according to two Obama administration economic policy experts.

## IMMIGRATION

Office of the Comptroller of the Currency

Office of the U.S. Trade Representative

Oklahoma Attorney General's Office

Port Authority of New York & New Jersey

Securities and Exchange Commission

U.S. Army

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of State

U.S. Department of Transportation

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. Immigration and Customs Enforcement

U.S. Supreme Court

Ute Indian Tribe

World Health Organization

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### **Pence, Ex-Ind. AG Freed From Trans Man's Name Change Suit**

A transgender Mexican refugee cannot sue former Indiana officials, including ex-Gov. and current Vice President Mike Pence, over a state policy that requires name change applicants to prove their U.S. citizenship, an Indiana federal judge ruled Monday.

### **New Attacks Lodged Against Travel Ban Executive Order**

Several Iranian-American groups and the Council on American Islamic Relations have filed fresh attacks on President Donald Trump's revised travel ban executive order, adding to the mounting legal challenges against the controversial order, key portions of which were blocked by another court Wednesday.

### **NATIVE AMERICAN**

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### **DOI Indian Affairs Deputy Solicitor Rejoins Steptoe**

Steptoe & Johnson LLP on Tuesday announced the return of one of its attorneys who principally focuses on Native American policy and legal matters after he spent the last couple of years serving in the U.S. Department of the Interior.

### **TELECOMMUNICATIONS**

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#### **Analysis**

### **DC Circ.'s Delay On Net Neutrality Points To Wider Holdup**

The long wait for a D.C. Circuit ruling on whether to reconsider its earlier decision upholding the Federal Communications Commission's net neutrality rules is likely part of a broader holding pattern across the government as power shifts to Republicans, with the GOP in this case likely to revisit or scrap the rules, experts say.

### **FCC's Pai Promises To Speed Up Innovation On Midwest Tour**

The Federal Communications Commission will begin focusing on approving new technologies more quickly, agency Chairman Ajit Pai said Wednesday as he kicked off a short tour aimed at promoting broadband development in Midwestern cities.

### **Internet Group Urges FCC To Align Privacy Rules With FTC**

The Internet Association on Tuesday told the Federal Communications Commission that it should work to bring its privacy rules for internet service providers in line with the Federal Trade Commission's framework in a way that avoids disrupting the services offered by edge providers such as Google Inc. and Facebook Inc.

### **FCC Told Lifeline Broadband Change Hurts Underserved Kids**

Several children's and education advocates urged the Federal Communications Commission on Wednesday to reconsider its move to strip several companies of their eligibility to provide Lifeline broadband service, saying it is contrary to the public interest and hurts efforts to close the so-called homework gap for students without broadband access.

### **EXPERT ANALYSIS**

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### **FDA Faces Uncertainty Implementing 21st Century Cures Act**

The 21st Century Cures Act sailed through Congress with broad bipartisan support, and the U.S. Food and Drug Administration stood ready to implement its provisions. Three months later, however, uncertainties created by two presidential actions have stalled the act's implementation, say Seth Rothman and Jessica Studness of Hughes Hubbard & Reed LLP.

### **Challenges Continue For Organized Labor In 2017**

Having faced a decadeslong erosion in membership, dues revenue and political clout, the labor movement is facing another tough year in 2017. The latest threat comes from the United States Congress, where last month, the National Right-to-Work Act was introduced, say Scott Beightol and Miguel Manriquez of Michael Best & Friedrich LLP.

### **Considerations For Exhibit Hyperlinks In SEC Filings**

Companies should begin to prepare for the mechanics of the new hyperlink requirements for U.S. Securities and Exchange Commission filings and to design disclosure controls and procedures so that they will be ready to comply on a timely basis. Some companies may even choose to comply early in order to get corporate governance "credit," say Laura Richman and Michael Hermesen of Mayer Brown LLP.

## **LEGAL INDUSTRY**

### **Facebook Is King Of Legal Social Media World, Study Says**

Lawyers and law firms in the U.S. continue to embrace social media as part of their marketing strategies, relying more heavily on Facebook as a primary source to bring in business, a new study released on Tuesday found.

### **Firms Say Tech Is Driving Legal Industry To 'Tipping Point'**

Law firm leaders worldwide say that over the next five years, technological advances will change the face of their business more than competition and client demands will combined.

### **Ex-Hunton Patent Atty Convicted Of Insider Trading**

A former Hunton & Williams LLP patent attorney on Wednesday was convicted by a Brooklyn federal jury of insider trading charges for tipping off his friend and investment adviser about Pfizer Inc.'s plans to acquire his client.

### **LA Firms' Survey Shows High Potential For Mergers**

A number of Los Angeles firms have been eyed as viable candidates to combine with other firms over the last year, according to results of a new survey focused on the Los Angeles market released Wednesday by the legal consulting firm Zeughauser Group.

#### **Analysis**

### **4 Ways GCs Can Cope With Immigration Uncertainty**

With change afoot in the immigration realm — and with it, overwhelming uncertainty — general counsel need to act fast and think ahead. Here's what three experts say GCs should do now to prepare their company for the reforms and rule changes that could upend their employment plans.

### **Plaintiffs Bar Perspective: Hausfeld's Timothy Kearns**

The ability to identify with people and understand where they're coming from is a key to dealing with clients and class members. But it may be just as critical when dealing with defendants and defense counsel, says Timothy Kearns of Hausfeld LLP.

### **My Strangest Day In Court: Hitting A Curveball**

As a trial lawyer, you make instantaneous decisions in courtrooms all the time, but that day was different. I had to balance my advocate's concern for the class of investors I represented against the empathy I felt for a fellow human being's tragic loss, says Nicholas Chimicles of Chimicles & Tikellis LLP.

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Frost Brown Todd  
Hausfeld  
Hogan Lovells  
Hughes Hubbard  
Hunton & Williams  
Lawyers' Committee for Civil Rights  
Levine Kellogg  
Levine Sullivan  
McDermott Will  
Michael Best  
Morvillo Abramowitz  
Murthy Law Firm  
Paul Hastings  
Perkins Coie  
Polsinelli  
Priddy Cutler  
Quinn Buseck  
Sheppard Mullin  
Squire Patton Boggs  
Steptoe & Johnson LLP  
Winston & Strawn

## COMPANIES

American Bar Association  
American Civil Liberties Union  
Facebook  
American Federation of Labor and Congress of Industrial Organizations  
Global Automakers  
New York University  
Sierra Club  
The Boeing Company  
Twitter Inc.  
ALC Holdings LLC  
AT&T Inc.  
Alliance of Automobile Manufacturers  
Amazon.com Inc.  
American Conference Institute



Ameriprise Financial, Inc.  
Apple Inc.  
BDO LLP  
BuzzFeed Inc.  
Center for Biological Diversity Inc.  
CenturyLink Inc.  
Chambers and Partners  
Community Financial Corp.  
Competitive Carriers Association  
Council on Foreign Relations  
Delaware Riverkeeper Network  
Environmental Defense Fund Inc.  
FedEx Corporation  
Franciscan Alliance Inc.  
Google Inc.  
Hong Kong Exchanges and Clearing  
International Brotherhood of Teamsters  
King Pharmaceuticals Inc.  
Lawyers' Committee for Civil Rights Under Law  
Liberty Medical Supply Inc.  
LinkedIn Corp.  
Medtronic Inc.  
Mexican American Legal Defense and Education Fund  
National Basketball Association  
National Cable & Telecommunications Association  
National Collegiate Athletic Association  
National Fuel Gas Co.  
New York Times Co.  
Oracle Corp.  
Pfizer Inc.  
Public Knowledge  
Shanghai Stock Exchange Ltd.  
Shenzhen Stock Exchange  
Tax Foundation  
TransAm Trucking Inc.  
U.S. Chamber of Commerce  
United States Telecom Association  
Walgreen Co.  
Zeughauser Group LLC

#### GOVERNMENT AGENCIES

U.S. Department of Justice  
U.S. Environmental Protection Agency  
U.S. Supreme Court  
Executive Office of the President  
U.S. Department of Health and Human Services  
Federal Communications Commission  
U.S. Department of State  
New York Attorney General's Office  
U.S. Department of Transportation  
Central Intelligence Agency

Department of Commerce  
Federal Trade Commission  
Food and Drug Administration  
NAFTA  
National Labor Relations Board  
National Security Agency  
National Security Council  
Office of the Comptroller of the Currency  
Securities and Exchange Commission  
U.S. Department of the Treasury  
Army Corps of Engineers  
Bureau of Citizenship and Immigration Services  
Bureau of Labor Statistics  
Bureau of Land Management  
Centers for Medicare & Medicaid Services  
Commodity Futures Trading Commission  
Congressional Budget Office  
Defense Intelligence Agency  
Delaware River Basin Commission  
Export-Import Bank of the United States  
Federal Bureau of Investigation  
Federal Deposit Insurance Corp.  
Federal Election Commission  
Federal Reserve System  
Financial Stability Oversight Council  
Indiana Attorney General's Office  
Internal Revenue Service  
Kentucky Legislature  
Lumbee Tribe of North Carolina  
New York State Department of Financial Services  
Nuclear Regulatory Commission  
Office of the U.S. Trade Representative  
Oklahoma Attorney General's Office  
Port Authority of New York & New Jersey  
U.S. Army  
U.S. Department of Energy  
U.S. Department of Homeland Security  
U.S. Department of Labor  
U.S. Department of the Interior  
U.S. Immigration and Customs Enforcement  
Ute Indian Tribe  
World Health Organization

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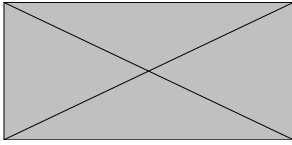


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**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Tue 11/6/2018 8:24:34 AM  
**Subject:** FTC Head Recuses Himself From Qualcomm Antitrust Row



**PUBLIC POLICY.**

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**Tuesday, November 6, 2018**

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## TOP NEWS

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### FTC Head Recuses Himself From Qualcomm Antitrust Row

Federal Trade Commission Chairman Joseph Simons has recused himself from any participation in the agency's California federal court antitrust case accusing Qualcomm of anti-competitive patent licensing practices, leaving an even divide between the FTC's Republican and Democratic commissioners as the agency and the chipmaker pursue settlement talks. [Read full article »](#)

### Trump Asks Justices To Decide DACA, Bypass Lower Courts

The Trump administration asked the U.S. Supreme Court on Monday to decide the legality of the U.S. Department of Homeland Security's decision to rescind the Deferred Action for Childhood Arrivals program, saying the court should take up the matter even before judgments are reached in cases before lower courts. [Read full article »](#)

### Judge Won't Revisit FCA Case Over Trade Law Compliance

A Washington, D.C., federal judge refused Friday to reconsider a decision dismissing a whistleblower False Claims Act suit after earlier finding that two linked networking equipment resellers' alleged noncompliance with the Trade Agreements Act was not material to payment, saying there was no error in the earlier ruling. [Read full article »](#)

#### Feature

### As Election Day Dawns, Look To The Suburbs

From Pennsylvania and New Jersey to Florida and California, the congressional districts on the borders of major cities will decide control of the House of Representatives in Tuesday's elections, experts say, and at the same time the Senate map remains favorable to Republicans. [Read full article »](#)

### High Court Won't Review Obama-Era Net Neutrality Cases

A divided U.S. Supreme Court narrowly chose to reject all seven pending appeals over the Federal Communications Commission's 2015 net neutrality rules on Monday, with three justices signaling they would've preferred to hear the challenges and to wipe out a precedent that validated the Obama-era regime. [Read full article »](#)

## BANKING & SECURITIES

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### CFTC Makes Higher Threshold For Swap Dealers Permanent

The U.S. Commodity Futures Trading Commission on Monday approved a rule making permanent the \$8 billion trading threshold governing which swap dealers must register with the agency, opting against previous plans for a lower threshold that would have regulated more firms. [Read full article »](#)

## ENERGY & ENVIRONMENTAL

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### Justices Not Sold On Preemption Of Va. Uranium Mining Ban

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Becker & Poliakoff  
Boies Schiller  
Buchanan Ingersoll  
Cannon Heyman  
Casey Gerry  
Consovoy McCarthy  
Cooper & Kirk  
Cotchett Pitre  
Cozen O'Connor  
Cravath Swaine  
Davis Wright Tremaine  
Dechert  
Desmarais LLP  
Dinsmore & Shohl  
Duane Morris  
Eckert Seamans  
Elliott Greenleaf  
Fenwick & West  
Foley Hoag  
Gibbs & Bruns  
GrayRobinson  
Greenberg Traurig  
Greene Broillet  
Greenspoon Marder  
Gunster  
Hanson Bridgett

CLV001281

The U.S. Supreme Court justices on Monday appeared skeptical that Virginia's uranium mining ban is federally preempted, saying they're hesitant to play a guessing game as to whether state lawmakers' true motivations for crafting the ban were over radiation concerns, an issue exclusively reserved for federal nuclear regulators. [Read full article »](#)

**Justices Puzzle Over Gov't Reach In Alaska Hovercraft Case**

The U.S. Supreme Court heard oral arguments Monday to decide whether the National Park Service has the power to enforce its hovercraft ban on an Alaska river, with several justices admitting they were having a hard time coming to grips with the right way to interpret key language in the Alaska National Interest Lands Conservation Act. [Read full article »](#)

**FWS Barred From Letting Property Owners Kill Red Wolves**

In a win for environmental groups, a North Carolina federal judge has declared that the U.S. Fish and Wildlife Service violated the Endangered Species Act by providing permission to property owners to kill red wolves that are listed under the Endangered Species Act, saying recovery efforts for the animal have been improperly weakened. [Read full article »](#)

**HEALTH & LIFE SCIENCES**

**Teva Suit Built On 'Tottering Tower Of Conjecture,' FDA Says**

Teva Pharmaceuticals' high-profile challenge to a new U.S. Food and Drug Administration policy on generic-drug exclusivity is wildly speculative and has virtually no chance of succeeding, the FDA told a D.C. federal judge Friday. [Read full article »](#)

**TRANSPORTATION & INFRASTRUCTURE**

**Christie Critic Can't Revive Criminal Case Over GWB Scandal**

An activist lost a bid to revive his criminal complaint against former New Jersey Gov. Chris Christie over the George Washington Bridge lane closure scandal on Monday when a state appeals court ruled the man did not have standing to seek the appointment of an independent special prosecutor in the case. [Read full article »](#)

**REAL ESTATE**

**Dems Say White House Knew FBI HQ Plan Was Underquoted**

House Democrats continued to put pressure on the administration over the White House's role in a decision to abandon a plan to relocate FBI headquarters, saying officials were well-aware rebuilding would cost more than relocation despite claiming otherwise. [Read full article »](#)

**EMPLOYMENT**

**Texas Tells 5th Circ. To Nix EEOC Background Check Policy**

Texas ripped a U.S. Equal Employment Opportunity Commission guidance urging employers to limit their use of criminal background checks in hiring, telling the Fifth Circuit that the agency's "felon-hiring" rule doesn't line up either with federal anti-discrimination law or agency rulemaking procedures. [Read full article »](#)

**Alaska Air Asks Justices To Hear Wash. Family Leave Fight**

Alaska Airlines Inc. has asked the U.S. Supreme Court to reverse an en banc Ninth Circuit ruling that a flight attendant's fight to use accrued vacation days for family medical leave purposes wasn't grounded in the interpretation of a collective bargaining agreement and wasn't preempted by federal law. [Read full article »](#)

**ACLU, Others Push Fed. Circ. To Rethink Equal Pay Test**

Harris Wiltshire  
Harter Secrest  
Haynes and Boone  
Hogan Lovells  
Holland & Knight  
Hopping Green  
Hunton Andrews Kurth  
Husch Blackwell  
Jackson Lewis  
K&L Gates  
Keker Van Nest & Peters  
Kirkland & Ellis  
Latham & Watkins  
Law Offices of S.J. Christine Yang  
Lewis Longman  
Linebarger Goggan  
Locke Lord  
Lytal Reiter  
Marino Tortorella  
McGuireWoods  
McNees  
Morgan Lewis  
Nossaman LLP  
Obermayer Rebmann  
Orrick Herrington  
Panish Shea  
Phillips & Cohen  
Phillips Lytle  
Pillsbury Winthrop  
Quinn Emanuel  
Reed Smith  
Sanford Heisler Sharp  
Saul Ewing  
Shenker Russo  
Shernoff Bidart  
Shulman Rogers  
Stevens & Lee  
Stradley Ronon  
Susman Godfrey  
Vinson & Elkins  
Walden Macht  
Walkup Melodia  
White & Case  
Wilson Elser  
Winstead PC  
Winston & Strawn  
Zelle LLP  
Zuckerman Spaeder

**COMPANIES**  
Allergan PLC  
Amazon.com Inc.

The American Civil Liberties Union and dozens of other groups have backed two female U.S. Department of Veterans Affairs doctors' bid to upend the Federal Circuit precedent that sunk their pay equity suit, telling the full appellate court Monday that its interpretation of the Equal Pay Act needs to be revised. [Read full article »](#)

## COMPETITION

### Trump Teases Antitrust Probe Into Amazon, Facebook, Google

President Donald Trump said in an interview that aired Sunday that his administration is scrutinizing Facebook, Google and frequent target Amazon for potential antitrust violations. [Read full article »](#)

## TAX

### Scrap Or Change SALT Rules, IRS Urged At Public Hearing

The Internal Revenue Service and the U.S. Department of the Treasury should either scrap or significantly alter proposed regulations that would sharply limit states' attempts to work around the \$10,000 cap on state and local tax deductions and curtail deductions for charity donations, speakers told the agencies at a hearing Monday. [Read full article »](#)

### Jersey City Council Mulls 1% Payroll Tax To Fund Schools

Jersey City council members will host the first public hearing Wednesday for a proposed 1 percent payroll tax for employees who don't live in the city, an ordinance that came after New Jersey state lawmakers, who had cut back on state-provided school aid, authorized the maneuver this year. [Read full article »](#)

## IMMIGRATION

### Citizenship Question Could Imperil 2020 Census, Court Told

A coalition of state attorneys general and immigrant-rights advocates launched a statistical broadside against the Trump administration's plan to add a citizenship question to the 2020 census on Monday, putting survey experts on the stand to say why such a move would be unreasonable, unwise and possibly illegal. [Read full article »](#)

### Immigrant Youth Fight Detention Rule Proposed By Trump

A class of immigrant minors on Friday urged a California federal judge to bar the Trump administration from implementing a proposed rule that would counter the terms of a longstanding settlement agreement, including by allowing the indefinite detention of families. [Read full article »](#)

### Texas Tells 5th Circ. It Can Bring Sanctuary City Suit

A lower court wrongly tossed Texas' preemptive lawsuit seeking to enforce its statute barring so-called sanctuary city policies, counsel for the state told a panel of Fifth Circuit judges during oral arguments in Houston on Monday, arguing the state has standing to bring the suit. [Read full article »](#)

## TELECOMMUNICATIONS

### Feature

### Telecom Change Must Wait Until 2020, Even If Dems Prevail

Democratic takeovers of either the House or Senate in Tuesday's midterm elections would shift the leadership of committees overseeing telecommunications policy, but even with a shakeup in either chamber, experts predict telecom isn't likely to become a priority in Washington until after the 2020 election. [Read full article »](#)

### FCC Allows User Interface Waivers For Smaller Cable Systems

American Arbitration Association  
American Cable Association  
American Civil Liberties Union  
Apple Inc.  
Chevron Corp.  
Cisco Systems Inc.  
Coinbase Inc.  
D-Link Corporation  
Express Scripts Holding Co.  
Facebook  
Federalist Society  
Google Inc.  
Grant Thornton LLP  
Home Box Office Inc.  
Instagram Inc.  
Intel Corp.  
International Centre for Dispute Resolution  
Law Foundation of Silicon Valley  
LinkedIn Corp.  
Microsoft Corporation  
Mylan NV  
NASDAQ OMX Group Inc.  
NBCUniversal Inc.  
NICE Actimize Inc.  
National Center for Youth Law  
National Employment Law Project  
National Republican Congressional Committee  
National Women's Law Center  
PG&E Corporation  
Public Broadcasting Service  
QUALCOMM Inc.  
Regents of the University of California  
Southern Environmental Law Center  
Teva Pharmaceutical Industries Limited  
The Florida Bar  
The Land Trust Alliance Inc.  
Trump Organization Inc.  
Twitter Inc.  
Washington Post Co.  
Westcon Group Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Commodity Futures Trading Commission  
Department of Commerce  
Equal Employment Opportunity Commission

The Federal Communications Commission has signed off on limited waivers applying to some mid- to small-size cable providers from federal rules issued five years ago to make user interfaces easier to access for people with disabilities. [Read full article »](#)

## ELECTIONS

### Black Bar Wants Fla. High Court Application Deadline Pushed

The black bar association in Broward County, Florida, asked the state's Supreme Court on Monday to extend the application submission date to the commission screening candidates for three soon-to-open seats on the court, arguing the early deadline discouraged black attorneys from applying. [Read full article »](#)

#### Feature

### Gunster, Holland & Knight Top Law Firm Donors In Fla. Races

A review of law firms' contributions to candidates for Florida's state offices found the most active firms favoring Republicans more than two to one — in keeping with the party's dominant 20-year run — with a big exception for the gubernatorial and attorney general races. [Read full article »](#)

#### Feature

### V&E, Haynes & Boone Top List Of Texas Judicial Race Donors

The law firms that donated the most in appellate judicial races across Texas heavily favored Republican candidates, with donations to GOP incumbents and newcomers far outpacing the wealth spread to Democrats, according to state campaign data compiled by the National Institute on Money in Politics. [Read full article »](#)

#### Feature

### Orrick, Greenberg Traurig Top Law Firm Donors In Calif. Races

Law firm big spenders who contributed to California candidates running for election in 2018 hedged their bets, frequently putting down money on more than one contender in a contest, particularly when it came to the governor and attorney general races, campaign finance records reveal. [Read full article »](#)

#### Feature

### Jackson Lewis, Greenberg Top Law Firm Donors In NY Races

Political contributions from the 10 law firms that gave the most to New York candidates this election cycle have flowed overwhelmingly to incumbents, with Gov. Andrew Cuomo drawing the lion's share of donations from the legal community, a Law360 analysis shows. [Read full article »](#)

#### Feature

### Saul Ewing Tops List Of Law Firm Donors In Pa. Races

The Pennsylvania legal community's 10 most prolific donors to state political campaigns overwhelmingly put their financial might behind incumbent Gov. Tom Wolf as the Democrat emerged as the odds-on favorite in the race. [Read full article »](#)

## EXPERT ANALYSIS

### Follow Money, Voter Enthusiasm To Predict Midterm Winners

For insight into which candidates will likely win or lose any of the 470 congressional races Tuesday, focus on the changes in voter enthusiasm and where the parties and their backers are putting their last dollars, says Mary Moore Hamrick at Grant Thornton LLP. [Read full article »](#)

#### Opinion

### AGs Are Now The 1st Round Draft Picks Of American Politics

Given their recent track record and growing policy power, state attorneys general should be the group everyone is watching on Election Day. Chances are the winners of these races will be moving to higher offices soon enough, says Joshua Spivak, senior fellow at the Hugh L. Carey Institute for Government Reform at Wagner College. [Read full article »](#)

European Union

Executive Office of the President

Federal Acquisition Regulatory Council

Federal Bureau of Investigation

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Financial Institutions Examination Council

Federal Trade Commission

Fish and Wildlife Service

Florida Supreme Court

Food and Drug Administration

General Services Administration  
Office of Inspector General

Internal Revenue Service

Korea Fair Trade Commission

National Institute of Standards and Technology

National Park Service

New York Attorney General's Office

New York State Department of Financial Services

Nuclear Regulatory Commission

Pennsylvania Supreme Court

Port Authority of New York & New Jersey

Securities and Exchange Commission

Texas Attorney General's Office

Texas Supreme Court

U.S. Army

U.S. Census Bureau

U.S. Coast Guard

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. General Services Administration

U.S. House Committee on Energy and Commerce

U.S. Immigration and Customs Enforcement

U.S. Postal Service

U.S. Senate

U.S. Supreme Court

## **Crypto Exchanges Need Cybersecurity Regulation**

With more and more retail consumers relying on cryptocurrency investments, legislators and regulators should be spending more time contemplating cybersecurity regulation for virtual asset exchanges, says Richard Malish of NICE Actimize. [Read full article »](#)

## **Nasdaq's New 20% Rule Is Good For Listed Companies**

Recently effective amendments to Nasdaq's shareholder approval rule provide greater clarity and flexibility to companies issuing 20 percent or more of their outstanding common stock in private offerings, says Jason Zachary of Greenberg Traurig LLP. [Read full article »](#)

## **Spotlight On Private Antitrust Enforcement At Seoul Forum**

At the 10th International Seoul Competition Forum, panelists discussed how private litigation can supplement public enforcement of antitrust laws, and explored how Korea, Hong Kong, China and Europe are all moving in the direction of U.S.-style private enforcement, but to varying degrees, says James Robertson Martin of Zelle LLP. [Read full article »](#)

## **LEGAL INDUSTRY**

### **Winston & Strawn Arbitration Clause 'Unconscionable': Panel**

A Winston & Strawn LLP arbitration agreement with a former income partner now suing the firm for gender discrimination carries "the taint of illegality" and is unenforceable, a California appellate court said Friday. [Read full article »](#)

### **Boies Schiller Stuck On Express Scripts Antitrust Trial**

Boies Schiller Flexner LLP must continue representing compounding pharmacies in an upcoming antitrust trial against Express Scripts Inc., as a Missouri federal judge shot down the firm's last-minute bid to ditch its clients. [Read full article »](#)

### **Fenwick Expands Parental Leave Policy To 16 Weeks For All**

Fenwick & West LLP has expanded its parental leave policy to include 16 weeks paid leave for all parents, regardless of gender, with additional time available for those giving birth, making it the latest in a long list of major firms updating their parental leave policies. [Read full article »](#)

### **New Center Aims To Put Attys With Disabilities On The Bench**

Former U.S. Congressman Tony Coelho of California, the primary sponsor of the Americans with Disabilities Act of 1990, is a staunch Democrat who has long been troubled by the dearth of attorneys and judges with disabilities. In search of a solution, he drew inspiration from a surprising source: the conservative takeover of the courts. [Read full article »](#)

### **Long D-Link, FTC Briefs Make Judge Evoke 'Days Gone By'**

A California federal court judge on Monday rejected dueling bids for quick wins in the Federal Trade Commission's lawsuit claiming D-Link Systems Inc. failed to secure its wireless routers and cameras, harking back to "days gone by" when there were signs on courthouse doors advising "no spittin', no cussin' and no summary judgment." [Read full article »](#)

### **Firm Brass Are Biggest Obstacle To Digital Marketing**

Convincing leadership to try new things is the biggest challenge law firm marketing professionals say they face as they work to implement digital marketing strategies, according to survey results released Monday. [Read full article »](#)

#### **Interview**

### **15 Minutes With The American Arbitration Association's GC**

As general counsel, Eric Tuchmann manages the legal affairs of the American Arbitration Association, including litigation-related matters involving the organization and its arbitrators, and he drafts amicus curiae briefs submitted on its behalf. Here, he shares with Law360 the most rewarding aspect of his 22-year career at the AAA and



the project he's looking forward to in the next year. [Read full article »](#)

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Messing Adam & Jasmine LLP

Sacramento or San Francisco, California

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## **LAW FIRMS**

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[Orrick Herrington](#)

[Cozen O'Connor](#)

[Holland & Knight](#)

[Akerman](#)

[Allen Boone](#)

[Amin Talati](#)

[Arnold & Porter](#)

[Ashburn & Mason](#)

[Ballard Spahr](#)

[Barclay Damon](#)

[Becker & Poliakoff](#)

[Boies Schiller](#)

[Buchanan Ingersoll](#)

[Cannon Heyman](#)

[Casey Gerry](#)

[Consovoy McCarthy](#)

[Cooper & Kirk](#)

[Cotchett Pitre](#)

[Cravath Swaine](#)

[Davis Wright Tremain](#)

[Dechert](#)

[Desmarais LLP](#)

[Dinsmore & Shohl](#)

[Duane Morris](#)

[Eckert Seamans](#)

[Elliott Greenleaf](#)

[Fenwick & West](#)

[Foley Hoag](#)

[Gibbs & Bruns](#)

[GrayRobinson](#)

[Greene Broillet](#)

[Greenspoon Marder](#)

[Gunster](#)

[Hanson Bridgett](#)

[Harris Wiltshire](#)

[Harter Secrest](#)

[Haynes and Boone](#)

[Hogan Lovells](#)

[Hopping Green](#)

[Hunton Andrews Kurth](#)

[Husch Blackwell](#)

Jackson Lewis  
K&L Gates  
Keker Van Nest & Peters  
Kirkland & Ellis  
Latham & Watkins  
Law Offices of S.J. Christine Yang  
Lewis Longman  
Linebarger Goggan  
Locke Lord  
Lytal Reiter  
Marino Tortorella  
McGuireWoods  
McNees  
Morgan Lewis  
Nossaman LLP  
Obermayer Rebmann  
Panish Shea  
Phillips & Cohen  
Phillips Lytle  
Pillsbury Winthrop  
Quinn Emanuel  
Reed Smith  
Sanford Heisler Sharp  
Saul Ewing  
Shenker Russo  
Shernoff Bidart  
Shulman Rogers  
Stevens & Lee  
Stradley Ronon  
Susman Godfrey  
Vinson & Elkins  
Walden Macht  
Walkup Melodia  
White & Case  
Wilson Elser  
Winstead PC  
Winston & Strawn  
Zelle LLP  
Zuckerman Spaeder

#### COMPANIES

Twitter Inc.  
American Civil Liberties Union  
Chevron Corp.  
Facebook  
NASDAQ OMX Group Inc.  
NBCUniversal Inc.  
Allergan PLC  
Amazon.com Inc.  
American Arbitration Association  
American Cable Association



Apple Inc.  
Cisco Systems Inc.  
Coinbase Inc.  
D-Link Corporation  
Express Scripts Holding Co.  
Federalist Society  
Google Inc.  
Grant Thornton LLP  
Home Box Office Inc.  
Instagram Inc.  
Intel Corp.  
International Centre for Dispute Resolution  
Law Foundation of Silicon Valley  
LinkedIn Corp.  
Microsoft Corporation  
Mylan NV  
NICE Actimize Inc.  
National Center for Youth Law  
National Employment Law Project  
National Republican Congressional Committee  
National Women's Law Center  
PG&E Corporation  
Public Broadcasting Service  
QUALCOMM Inc.  
Regents of the University of California  
Southern Environmental Law Center  
Teva Pharmaceutical Industries Limited  
The Florida Bar  
The Land Trust Alliance Inc.  
Trump Organization Inc.  
Washington Post Co.  
Westcon Group Inc.

#### GOVERNMENT AGENCIES

U.S. Supreme Court  
U.S. Department of Justice  
Federal Communications Commission  
Federal Trade Commission  
Securities and Exchange Commission  
Commodity Futures Trading Commission  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Army Corps of Engineers  
Department of Commerce  
Equal Employment Opportunity Commission  
Federal Acquisition Regulatory Council  
Federal Deposit Insurance Corp.  
Federal Financial Institutions Examination Council  
Fish and Wildlife Service  
Florida Supreme Court

Food and Drug Administration  
General Services Administration Office of Inspector General  
Internal Revenue Service  
Korea Fair Trade Commission  
National Institute of Standards and Technology  
National Park Service  
New York Attorney General's Office  
New York State Department of Financial Services  
Nuclear Regulatory Commission  
Pennsylvania Supreme Court  
Port Authority of New York & New Jersey  
Texas Attorney General's Office  
Texas Supreme Court  
U.S. Army  
U.S. Census Bureau  
U.S. Coast Guard  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. General Services Administration  
U.S. House Committee on Energy and Commerce  
U.S. Immigration and Customs Enforcement  
U.S. Postal Service  
U.S. Senate

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CLV001289

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Jason Roeller  
**Sent:** Thur 3/5/2015 9:25:23 PM  
**Subject:** RE: Fire Alarm Office Staffing is at Critical levels

We still have the hiring shortage issue that is the bigger issue thou.

---

From: Carolyn G. Goodman  
Sent: Thursday, March 05, 2015 09:16  
To: Jason Roeller  
Cc: Orlando Sanchez; Betsy Fretwell; Lora Kalkman  
Subject: RE: Fire Alarm Office Staffing is at Critical levels

We are a team here and so glad this issue has been resolved at this time. Thank you for bringing it to our attention.

Carolyn G. Goodman, Mayor  
Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

-----Original Message-----

From: Jason Roeller  
Sent: Monday, March 02, 2015 6:21 PM  
To: Carolyn G. Goodman  
Subject: RE: Fire Alarm Office Staffing is at Critical levels

Today a new policy is posted that will start in a few weeks to limit our maximum time held to 14 hrs. I am not sure who to thank for this but if it has something to do to this letter, I appreciate you looking into it. Our division as a whole thanks you.

Sincerely,  
Jason Roeller

-----Original Message-----

From: Carolyn G. Goodman  
Sent: Thursday, February 26, 2015 1:42 PM  
To: Jason Roeller  
Cc: Betsy Fretwell; Orlando Sanchez; Lora Kalkman  
Subject: RE: Fire Alarm Office Staffing is at Critical levels

Hi Jason:

With City Hall closed tomorrow and our Manager out-of-town, I am emailing her and the Deputy City Manager, Orlando Sanchez, to look into this as soon as possible. Thank you for your open communication, and I am hopeful that they will find out what is occurring and work to resolve the problem(s) next week.

Mayor Goodman  
Las Vegas City Hall  
495 S. Main Street  
Las Vegas, NV 89101

(702)229-6241

CLV001290

City Hall is closed on Fridays

-----Original Message-----

From: Jason Roeller

Sent: Wednesday, February 25, 2015 11:53 AM

To: Carolyn G. Goodman

Cc: Jason Roeller

Subject: Fire Alarm Office Staffing is at Critical levels

Mrs Mayor Goodman:

I work in the Fire Alarm Office and have for 15 years. Our office staff is painfully struggling thru a massive staff shortage. We are severely understaffed and have been for years now. Our employees are working massive amounts of overtime to keep our staffing requirements to safe levels. Our employees are working extra shifts, up to 16 hour days with only an 8 hour break in between and we are falling apart at the seams. Our E-staff is telling us that the hold up to hire new employees is due to lack of personnel at Human Resources being able to fast track our hiring procedure and we are being placed on a waiting list in the city before any new hiring process can even be started. People with 10 plus years on the job are quitting because their family life is struggling due to the demands being placed on our employees. These are great employees, hard working , and dedicated employees who help save lives everyday. Without staffing there wont be enough personnel to answer 9-11 calls from the public and hold times will increase.

Our call volume has doubled since 2000 and yet our manpower has barely changed during that time. We are fighting for this city and county to be safe however we need personnel immediately. I have never written city hall about our problems ever but our cries for help are not being answered. I have talked to our chiefs numerous times and our hiring is at a snails pace. We have only 5 people in a training class where we need 15. We need 15 people now.

I am begging that HR please fast track our hiring process. It is critical so we are not having 9-11 calls be left on hold or go unanswered. Please help us. We are doing everything we can to serve our public. However without adequate manpower more employees will leave us. We can not afford to lose any more employees. I do not wish to be a whistleblower here and hope that my name be confidential for fear of retaliation. I love my job , we just need help.

Sincerely,

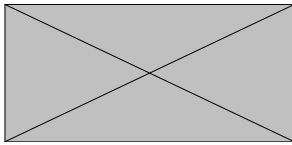
Jason Roeller

Las Vegas Fire & Rescue

Fire Communication Specialist for 15 years

CLV001291

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Thur 2/9/2017 9:29:27 AM  
**Subject:** [Marketing Mail] Gorsuch 'Disheartened' By Trump Attacks On Judges: Sen.



PUBLIC POLICY

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Thursday, February 9, 2017

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## TOP NEWS

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### Gorsuch 'Disheartened' By Trump Attacks On Judges: Sen.

Supreme Court nominee Neil Gorsuch said he was “disheartened” by the “demoralizing and abhorrent comments” that President Donald Trump has hurled against federal judiciary during a meeting with Sen. Richard Blumenthal, D-Conn., the lawmaker claimed following the sit-down with the Tenth Circuit judge on Wednesday.

### Trump HHS Nominee Moves Toward Final Senate Vote

The Senate on Wednesday moved closer to a final vote on President Donald Trump’s pick for Department of Health and Human Services secretary, a position that would helm the agency responsible for reinventing the nation’s health system.

#### Analysis

### Long-Shot Carbon Tax Plan Aims For Policy Consensus

A plan pitched Wednesday by veteran Republicans to impose a national carbon tax to offset a rollback of climate change regulations isn’t likely to succeed, but experts say it provides a glimmer of hope for future bipartisan consensus on some areas of U.S. climate policy, particularly if corporate America warms to the idea of a carbon tax.

#### Analysis

### Trump Could Determine Future Of Sports Betting

Forces are coming together for a showdown over the U.S.’s anti-sports-betting policies after the U.S. Supreme Court made a surprise choice last month not to immediately deny New Jersey’s challenge to a federal ban on sports betting, instead inviting President Donald Trump’s administration to weigh in on the controversial issue.

### Ways & Means, Senate Trade Subcommittee Get New Members

Democratic U.S. Rep. Judy Chu of California has joined the House Ways and Means Committee, while the Senate Finance Committee’s subcommittee for international trade has also brought in new members, congressional leaders announced Tuesday.

### DOL Beats Latest Challenge To Fiduciary Rule

A Texas federal judge on Wednesday upheld the U.S. Department of Labor’s controversial fiduciary rule for retirement advisers — just hours after the agency had asked to stay the case in light of President Donald Trump’s directive to review and possibly rescind the rule.

### Groups Sue To Block Trump’s 2-For-1 Regulatory Order

Public interest legal groups on Wednesday sued the Trump administration, alleging a January executive order mandating that executive agencies eliminate two regulations for every new one is “irrational” and puts public safety at risk by not considering any beneficial effects of new rules.

## LAW FIRMS

Akin Gump  
Baker Botts  
Baker Donelson  
Blank Rome  
Chapman and Cutler  
Curtis Mallet-Prevost  
Debevoise & Plimpton  
Dinsmore & Shohl  
Dorsey & Whitney  
Drinker Biddle  
Earthjustice  
Faegre Baker  
Friedman PA  
Gibson Dunn  
Holland & Knight  
Honigman Miller  
Husch Blackwell  
Katz Marshall  
Kelley Drye  
Kilpatrick Townsend  
Lewis Brisbois  
McElroy Deutsch  
Morrison & Foerster  
Nabors Giblin  
Rutledge Ecenia  
Sedgwick LLP  
Sidley Austin  
Skadden  
Squire Patton Boggs  
Sullivan & Worcester  
Thompson Coe  
Wachtell Lipton  
White & Case  
Williams Parker  
WilmerHale  
Winston & Strawn  
Zazzali Fagella

## COMPANIES

CLV001292

## Senate OKs Sessions As Trump's Attorney General

Sen. Jeff Sessions, R-Ala., will serve as the next U.S. attorney general after Senate Republicans voted through President Donald Trump's pick for the nation's top prosecutor on Wednesday despite weeks of Democratic opposition.

## BANKING & SECURITIES

### Fed General Counsel Alvarez To Leave Central Bank

Scott Alvarez, the Federal Reserve's powerful general counsel, will retire later this year, the central bank announced Wednesday.

### SIFMA Blasts NYSE's 'Game Of Thrones' Analogy In Fee Fight

A securities industry trade group that has accused the New York Stock Exchange LLC of seeking to charge illegally high fees for access to market data ripped the NYSE this week for comparing a proposed fee to the price of an HBO subscription, saying even the cunning character "Lord Petyr 'Littlefinger' Baelish would blush" at such a deceptive analogy.

### Giancarlo Nearing Nomination For CFTC Chairman

President Donald Trump is preparing to nominate acting U.S. Commodity Futures Trading Commission Chairman J. Christopher Giancarlo to formally take the agency's top post, the Wall Street Journal reported Wednesday.

## ENERGY & ENVIRONMENTAL

### EPA Says Coal Jobs Appeal Needs To Be Decided Quickly

The U.S. Environmental Protection Agency on Tuesday asked the Fourth Circuit to speed up its appeal of a federal judge's decision that forces the agency to further evaluate the consequences of its air pollution regulations on jobs, arguing the ruling's burdens necessitate a quick review.

### Ark. Urges 8th Circ. To Halt Haze Plan During Review

Arkansas' attorney general asked the Eighth Circuit on Tuesday to halt the federal government's plan for the state to abide by haze regulations established under the Clean Air Act while the plan's merits are reviewed by the circuit court, saying that the rule will cause irreparable economic harm if it isn't paused.

### Lawmaker Pushes Bill To Move Fracking Regulation To States

A Republican Congressman from Texas who wants to put fracking regulation in the hands of states introduced proposed legislation to the House of Representatives on Tuesday that would give states the right to control hydraulic fracturing on all land within their boundaries and would force companies with fracking operations on federal lands to comply with those state laws.

### Trump's EPA Transition Head Will Stay As Senior WH Adviser

The U.S. Environmental Protection Agency's acting administrator said Monday that transition head Don Benton will be staying on as senior White House adviser to President Donald Trump — and sought to quell rumors that climate change data is being wiped from the EPA's website.

## HEALTH & LIFE SCIENCES

### Fla. Hospitals Fight To Keep County Reimbursement Law

Two private hospitals urged the Florida Supreme Court Wednesday to uphold a special act requiring Sarasota County to reimburse both private and public medical centers for care given to impoverished patients and argued that the measure does not grant private hospitals any advantage over their public counterparts.

AT&T Inc.  
Airbnb Inc.  
Altman Weil Inc.  
American Bar Association  
American Gaming Association  
American International Group Inc.  
AstraZeneca  
BTI Consulting Group Inc.  
BlackRock  
British Broadcasting Corp.  
Cerberus Capital Management LP  
Communications Workers of America  
Education Management Corporation  
Facebook  
GFI Group Inc.  
Genentech Inc.  
Goldman Sachs Group Inc.  
Google Inc.  
Home Box Office Inc.  
Inter IKEA Systems BV  
Intercontinental Exchange Inc.  
Koch Industries Inc.  
Liberty Media Corp.  
Medco Health Solutions Inc.  
Murray Energy Corp.  
NFL Enterprises LLC  
National Basketball Association  
National Collegiate Athletic Association  
Natural Resources Defense Council  
New York University  
Nike Inc.  
Northrop Grumman Corporation  
PharMerica Corporation  
Public Citizen Inc.  
Redflex Traffic Systems  
SIFMA  
Sanford Burnham Prebys Medical Discovery Institute  
Sanofi-Aventis  
Sierra Club  
Turner Broadcasting System Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
UK Financial Investments Ltd.  
UK Government Investments Ltd.  
Vanguard Group Inc.  
Vivendi SA  
Wal-Mart Stores Inc.

## HOSPITALITY

### Fla. House Panel Advances Bill To Cut Tax, Other Incentives

Florida lawmakers took a first step Wednesday toward slashing economic incentive programs in the state, as a House committee voted 10-5 for a bill that would eliminate numerous tax credits and public financing programs for certain industries and companies, a proposal strongly opposed by Gov. Rick Scott.

## EMPLOYMENT

### NJ College Improperly Fired Prof Without Notice, Panel Says

The New Jersey Appellate Division ruled Tuesday that Kean University violated the state's open public meetings law by firing a teacher without giving her the chance to waive her right to have her employment discussed at the college board's regular business meeting.

## PRIVACY & CONSUMER PROTECTION

### Warren Says Industry Supports, Is Ready For Fiduciary Rule

Sen. Elizabeth Warren sent a letter Tuesday urging the acting head of the U.S. Department of Labor not to delay implementation of the new fiduciary rule for retirement account advisers, saying the financial industry is supportive of the rule and that most firms are ready to meet the April compliance deadline.

## GOVERNMENT CONTRACTS

### DOD OIG Calls Buying Official's Ethics Failure Inadvertent

A Pentagon watchdog has found that the failure of a former senior Air Force acquisition official to report his wife's ties to Northrop Grumman Corp., which resulted in his removal from the acquisition role, was inadvertent and that he hadn't used his position to aid the company.

### Rebuffed Whistleblower Objects To Deal Ending Bribery Suit

The whistleblower tossed from a lawsuit accusing his employer of bribing its way into the winning bid for Chicago's red light camera program objected Wednesday to the \$20 million settlement that would end the federal suit, arguing that the contractor did far more damage and can afford to pay more.

## INTERNATIONAL TRADE

### Trump's Border Tax Plans Could Spark Canadian Trade War

The Canadian government threatened Wednesday to respond in kind if the Trump administration introduces new taxes on cross-border trade between the two countries.

## TAX

### Ill. Senate Proposes Sales Tax Hike On Food, Drugs

The future of a "Grand Bargain" in the Illinois Senate that would increase taxes on groceries and drugs grew cloudy Wednesday after parts of the deal drew no support from Republicans in a floor vote Wednesday.

### NY State Lawmakers Move To Postpone NYC Bag Fee

The New York Legislature on Tuesday passed a moratorium on a New York City tax on carryout bags that was expected to go into effect this month. If signed by Gov.

Wells Fargo & Co.

Zeughauser Group LLC

## GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services

Bureau of Land Management

California State Board of Equalization

Central Intelligence Agency

Commodity Futures Trading Commission

Council on Environmental Quality

European Commission

Executive Office of the President

Federal Bureau of Investigation

Federal Communications Commission

Federal Energy Regulatory Commission

Federal Motor Carrier Safety Administration

Federal Reserve System

Internal Revenue Service

New York State Assembly

Office of the Comptroller of the Currency

San Francisco Bay Area Rapid Transit District (BART)

Securities and Exchange Commission

U.S. Department of Defense

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court

United Nations

Andrew Cuomo, the bill would indefinitely postpone implementation of the tax.

### **UK Rejects Watchdog's Call To Discount Tax-Avoidance Gains**

Citing a risk of lawsuits, the U.K. Treasury is rejecting recommendations from the government's spending watchdog to discount gains from tax avoidance that may have factored into the £13 billion (\$16.3 billion) sale of assets belonging to a mortgage lender that became nationalized during the 2008 financial crisis.

## **BANKRUPTCY**

### **PE Firm Wants En Banc 2nd Circ. To Rehear Bond Law Ruling**

A private equity firm on Wednesday asked for an en banc rehearing of the Second Circuit's decision that for-profit college operator Education Management Corp.'s proposed restructuring was legal, saying the decision overturned the settled understanding of bond law.

## **IMMIGRATION**

### **Trump Draws Ire Of Legal Community With Court Criticisms**

President Donald Trump called the U.S. judiciary "so political" and a Ninth Circuit hearing "disgraceful" in a speech Wednesday to law enforcement officials, the latest in a string of critical comments about the courts that have resulted in outrage from some in the legal industry.

### **Bill Would Nix Fed Transport Cash For 'Sanctuary' Locales**

A Republican congressman has introduced a bill that would block federal transportation funds from being awarded to state and local governments that act as "sanctuaries" for unauthorized immigrants.

## **TELECOMMUNICATIONS**

### **FCC's Dem Slams States For Not Capping Inmate Call Rates**

Federal Communications Commission member Mignon Clyburn silently implored states to "do your job" and cap out-of-control calling rates for inmates during a court hearing Monday in a case challenging the Obama-era FCC's attempt to limit them, according to her Tuesday blog post.

### **AT&T Pushes For FCC Enforcement Process Reform**

Telecom giant AT&T on Wednesday said the Federal Communications Commission should focus on overhauling its enforcement efforts amid other process changes, pushing the agency to avoid rulemaking by enforcement, extreme and continuous penalties and empty "press fanfare."

### **Co. Stripped Of Lifeline Eligibility Hits Back At FCC**

A Federal Communications Commission unit's recent revocation of nine companies' eligibility to provide broadband service under the low-income Lifeline program was "hasty" and done without advance notice to the public or to those affected, an attorney representing one of the companies told the regulator Tuesday.

### **DC Circ. Urged To Reverse FCC's Lifeline Change**

A utility consumer advocacy group pressed the D.C. Circuit on Monday to reverse part of a move by the Federal Communications Commission to create a federal process that designates telecommunications companies as eligible Lifeline broadband service providers.

## **EXPERT ANALYSIS**



## **Whistleblower Protections: What To Expect In The Trump Era**

While there may be a retrenchment in the scope of whistleblower protections and a decrease in the efficacy of whistleblower rewards programs under the Trump administration, it is unlikely that either will disappear given the strong support of key Republicans, as well as the availability of state-level whistleblower protections and whistleblower rewards programs, says Alexis Ronickher of Katz Marshall & Banks LLP.

## **The Abstract Swing: Major League Problems In Patent Law**

Imagine if a baseball player developed a new swing — something in between a bunt and a fully loaded swing. It becomes popular, and the commissioner decides to ban these "abstract" swings but doesn't create a workable test for recognizing them. Ever since Alice, patent applicants have been befuddled with the concept of an abstract idea. Perhaps our new Congress will get our inventors back on base, says Darin Gibby of Kilpatrick Townsend & Stockton LLP.

## **A Politically Feasible Approach To H-1B Reform**

Legislation aimed at reforming the H-1B visa program recently proposed by Rep. Zoe Lofgren, D-Calif., includes disgraceful efforts to benefit companies in her district at the expense of the rest of the country. However, once such efforts are stripped out, her bill represents a major step forward in modernizing the United States' employment-based immigration system, says Brandon Meyer of Lewis Brisbois Bisgaard & Smith LLP.

## **The Quadrennial Energy Review And Grid Modernization**

The most recent installment of the U.S. Department of Energy's Quadrennial Energy Review focuses on the electric grid as the "underlying framework that supports the American economy and society." While a product of the Obama administration's promotion of clean energy and advanced technologies, it arguably aligns with the Trump administration's priorities for infrastructure investment as well, say attorneys from Husch Blackwell LLP.

## **Inside The CFTC's New Advisories On Cooperation**

The U.S. Commodity Futures Trading Commission's recent advisories on cooperation indicate how enforcement priorities have changed over time. But for all the additional guidance that these new advisories give, one of the most important pieces of information to potential cooperators is still missing, say attorneys with Skadden Arps Slate Meagher & Flom LLP.

## **LEGAL INDUSTRY**

### **Akin Gump Atty Charged With Trying To Sell Sealed FCA Suit**

An Akin Gump Strauss Hauer & Feld LLP attorney who once worked at the U.S. Department of Justice was arrested while allegedly attempting to sell a sealed False Claims Act suit to a California cybersecurity company, according to a criminal case unsealed this week.

#### **Analysis**

### **BigLaw's Latest Bad Boy Made Name As FCA Prosecutor**

The latest BigLaw partner to break bad, Jeffrey A. Wertkin, until very recently of Akin Gump Strauss Hauer & Feld LLP, is a seasoned False Claims Act litigator who before being caught allegedly hawking a sealed complaint to an undercover FBI agent made waves as a government lawyer in several health care fraud cases.

#### **Analysis**

### **BigLaw Moves In Texas Send Local Firms Looking For Edge**

A continued push by national firms like Winston & Strawn and Gibson Dunn into Texas' thriving legal market has ignited a competitive spirit among homegrown firms and has spurred a race to keep top rainmakers at any cost, while other Texas firms are taking a harder look at possible mergers, experts say.

### **Baker Botts Saw 20% Revenue Spike In 2016**

Baker Botts LLP increased its revenue by more than 20 percent in 2016, while per-partner profits climbed over the \$2.4 million mark, the firm announced Wednesday.

### **Data Analytics To Aid Outside Counsel Picks In 2017: Report**

Corporate legal departments are increasing their use of data analytics not only for tasks such as document review and e-discovery, but also in the selection of outside counsel, a report out on Wednesday found.

### **5 Insights From Reddit GC Melissa Tidwell**

We filed an amicus brief opposing Trump's executive order on immigration along with fellow tech companies like Airbnb, Facebook, Google, and many others. I'm very proud to be standing in solidarity with our industry peers, says Melissa Tidwell, vice president and general counsel at Reddit.

#### **JOBS**

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#### **LAW FIRMS**

Akin Gump  
WilmerHale  
Gibson Dunn  
Squire Patton Boggs  
White & Case  
Baker Botts  
Baker Donelson  
Blank Rome  
Chapman and Cutler  
Curtis Mallet-Prevost  
Debevoise & Plimpton  
Dinsmore & Shohl  
Dorsey & Whitney  
Drinker Biddle  
Earthjustice  
Faegre Baker  
Friedman PA  
Holland & Knight  
Honigman Miller  
Husch Blackwell  
Katz Marshall  
Kelley Drye  
Kilpatrick Townsend  
Lewis Brisbois  
McElroy Deutsch  
Morrison & Foerster  
Nabors Giblin  
Rutledge Ecenia  
Sedgwick LLP  
Sidley Austin  
Skadden  
Sullivan & Worcester  
Thompson Coe  
Wachtell Lipton  
Williams Parker  
Winston & Strawn

**COMPANIES**

Twitter Inc.  
Google Inc.  
Natural Resources Defense Council  
SIFMA  
U.S. Chamber of Commerce  
AT&T Inc.  
Airbnb Inc.  
Altman Weil Inc.  
American Bar Association  
American Gaming Association  
American International Group Inc.  
AstraZeneca  
BTI Consulting Group Inc.  
BlackRock  
British Broadcasting Corp.  
Cerberus Capital Management LP  
Communications Workers of America  
Education Management Corporation  
Facebook  
GFI Group Inc.  
Genentech Inc.  
Goldman Sachs Group Inc.  
Home Box Office Inc.  
Inter IKEA Systems BV  
Intercontinental Exchange Inc.  
Koch Industries Inc.  
Liberty Media Corp.  
Medco Health Solutions Inc.  
Murray Energy Corp.  
NFL Enterprises LLC  
National Basketball Association  
National Collegiate Athletic Association  
New York University  
Nike Inc.  
Northrop Grumman Corporation  
PharMerica Corporation  
Public Citizen Inc.  
Redflex Traffic Systems  
Sanford Burnham Prebys Medical Discovery Institute  
Sanofi-Aventis  
Sierra Club  
Turner Broadcasting System Inc.  
UK Financial Investments Ltd.  
UK Government Investments Ltd.  
Vanguard Group Inc.  
Vivendi SA  
Wal-Mart Stores Inc.  
Wells Fargo & Co.

**GOVERNMENT AGENCIES**

U.S. Department of Justice  
U.S. Environmental Protection Agency  
Federal Communications Commission  
U.S. Department of Labor  
U.S. Supreme Court  
U.S. Department of Defense  
U.S. Department of Homeland Security  
Central Intelligence Agency  
Commodity Futures Trading Commission  
Executive Office of the President  
Federal Bureau of Investigation  
Securities and Exchange Commission  
U.S. Department of Health and Human Services  
U.S. Senate  
United Nations  
Bureau of Citizenship and Immigration Services  
Bureau of Land Management  
California State Board of Equalization  
Council on Environmental Quality  
European Commission  
Federal Energy Regulatory Commission  
Federal Motor Carrier Safety Administration  
Federal Reserve System  
Internal Revenue Service  
New York State Assembly  
Office of the Comptroller of the Currency  
San Francisco Bay Area Rapid Transit District (BART)  
U.S. Department of Energy  
U.S. Department of the Treasury  
U.S. Patent and Trademark Office

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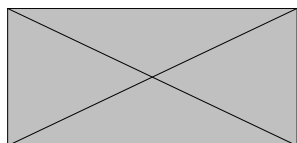
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CLV001299

**To:** Carolyn G. Goodman[cgoodman@lasvegasnevada.gov]  
**From:** Public Policy Law360  
**Sent:** Mon 7/3/2017 8:32:09 AM  
**Subject:** [Marketing Mail] Benefits Row Can Test Obergefell's Reach, Texas Justices Say



**PUBLIC POLICY.**

Law360 Closed For Independence Day

Newsletter service will resume Wednesday, July 5.

**Monday, July 3, 2017**

## TOP NEWS

### Benefits Row Can Test Obergefell's Reach, Texas Justices Say

The Texas Supreme Court on Friday held that the U.S. Supreme Court's landmark ruling in Obergefell v. Hodges doesn't resolve a fight over a Houston policy granting spousal benefits to city employees in same-sex marriages and that lower courts are entitled to fully explore Obergefell's reach. [Read more »](#)

### Senate Tweaks Sanctions Bill To Allay House Concerns

The Senate on Thursday reached an agreement on technical changes to recently passed bipartisan Iran and Russia sanctions legislation in an effort to facilitate passage of the bill in the House of Representatives. [Read more »](#)

### CBO Narrows Debt Limit Date, Warns of Deficit Increases

The Congressional Budget Office released a pair of reports Thursday narrowing down the date by which lawmakers must raise the debt limit before the government runs out of cash and projecting an even greater budget shortfall thanks to "weaker than expected" tax collection. [Read more »](#)

### FBI Director Nominee Details Career In Senate Questionnaire

Representing New Jersey Gov. Chris Christie in Bridgegate investigations and leading the U.S. Department of Justice's counterterrorism and counterespionage sections as an assistant attorney general are among the major career activities listed by FBI director nominee Christopher A. Wray in a questionnaire filed with senators Thursday. [Read more »](#)

## BANKING & SECURITIES

### Analysis

### SEC Gets Biz-Friendly With Confidential IPOs For All

The U.S. Securities and Exchange Commission's decision to expand confidential filing privileges to all companies seeking initial public offerings is an incremental but important step, likely to be followed by more actions by the new SEC staff to make capital raising easier for companies, attorneys say. [Read more »](#)

### SEC Investor Advocate Says It Needs Breather On Rules

The U.S. Securities and Exchange Commission's investor advocate on Thursday encouraged Congress to give the agency a break from mandated rule-making and urged lawmakers to "resist the temptation" to move too quickly on market reforms.

[Listen to our new podcast here](#)

### LAW FIRMS

Alexander Dubose  
Arnold & Porter Kaye Scholer  
Baker Donelson  
Baker McKenzie  
Bilzin Sumberg  
Blank Rome  
Bracewell  
Bradley Arant  
Buchanan Ingersoll  
Bull Housser  
Butler Snow LLP  
Capital Appellate Advocacy PLLC  
Chadbourne & Parke  
Covington & Burling  
Cozen O'Connor  
DLA Piper  
Davis Polk  
Debevoise & Plimpton  
Dechert  
Dentons  
Dickinson Wright  
Dorsey & Whitney  
Earthjustice  
Epstein Becker Green  
Eversheds Sutherland  
Finnegan  
Foley & Lardner  
Gibson Dunn

CLV001300

[Read more »](#)

### DOL Asks For More Info On Fiduciary Rule

The U.S. Department of Labor took another step Thursday toward rescinding or adjusting a rule requiring retirement advisers to act in their clients' best interests, publishing a request for public feedback on one of the more controversial pieces of the Obama administration's regulatory legacy. [Read more »](#)

### ENERGY & ENVIRONMENTAL

#### Analysis

#### Trump EPA's Water Rule Odyssey Just Beginning

The Trump administration has begun the process of rolling back the Obama-era Clean Water Rule as it looks to narrow Environmental Protection Agency jurisdiction over U.S. waters, but experts say crafting a replacement will be a long, difficult task given likely court challenges and the complicated history lurking beneath the rule's surface. [Read more »](#)

#### Judicial Watch Sues For Corps' Pipeline Convos With Enviros

The conservative legal advocacy group Judicial Watch filed suit in D.C. federal court Thursday in pursuit of records of communications between the U.S. Army Corps of Engineers and environmental groups about Dakota Access LLC's controversial \$3.8 billion, 1,172-mile crude oil pipeline. [Read more »](#)

### HEALTH & LIFE SCIENCES

#### Drug, Device Cos. Paid \$8.2B To Doctors, Hospitals In 2016

Drug and device makers paid \$8.2 billion to doctors and teaching hospitals last year for marketing and research, the federal government reported Friday. [Read more »](#)

#### Senator Says CMS Chief Might Have Violated Ethics Pact

The head of the Centers for Medicare & Medicaid Services — until recently a health industry consultant — may have breached an ethics agreement meant to limit her interactions with former clients, a Democratic senator said Friday. [Read more »](#)

#### Illinois Must Pay Medicaid Debt Under Consent Decrees

The evening before the state's budget crisis entered its third year, an Illinois federal judge on Friday ordered the state to pay \$2 billion to Medicaid care providers over the next year in order to comply with two long-standing consent decrees requiring the state to cover care for classes of Illinois residents. [Read more »](#)

### IP & TECHNOLOGY

#### Analysis

#### 4 Things You Should Know About The STRONGER Patents Act

A new bill aimed at revamping the patent system has been introduced in the U.S. Senate, a decidedly pro-patent owner measure that would make significant changes to Patent Trial and Appeal Board trials and undo several recent U.S. Supreme Court decisions. [Read more »](#)

### TRANSPORTATION & INFRASTRUCTURE

#### Analysis

#### 3 Provisions To Watch In The FAA Reauthorization Bills

Congress has gotten the ball rolling on locking in long-term funding for the Federal Aviation Administration, marking up a pair of bills that weigh big-ticket proposals to revamp how air traffic control is operated and how to pay for airport infrastructure upgrades in what could be the biggest overhaul of the agency in decades. [Read](#)

Goldberg Kohn  
Goodwin  
Greenspoon Marder  
Hoguet Newman  
Holland & Hart  
Holland & Knight  
Horwood Marcus  
Hughes Hubbard  
Hunton & Williams  
Jackson Lewis  
Jenner & Block  
Jones Day  
K&L Gates  
Kilpatrick Townsend  
King & Spalding  
Kirkland & Ellis  
Klarquist Sparkman  
Kobre & Kim  
Kramer Levin  
LTL Attorneys LLP  
Latham & Watkins  
Lathrop Gage  
Lewis Baach  
Lightfoot Franklin  
McCarter & English  
McDermott Will  
McGuireWoods  
McKool Smith  
Michael Best  
MoloLamken LLP  
Montgomery McCracken  
Morrison & Foerster  
Nelson Mullins  
Norton Rose Fulbright  
Oblon  
Patterson Belknap  
Paul Hastings  
Paul Weiss  
Polsinelli  
Reed Smith  
Ropes & Gray  
Sauer & Wagner  
Shearman & Sterling  
Sidley Austin  
Simpson Thacher  
Skadden  
Steptoe & Johnson LLP  
Stinson Leonard  
The Employment Law Group  
Tucker Ellis  
Van Ness Feldman

[more »](#)

#### Analysis

### Feds May Save Driverless Cars From Patchwork State Regs

For years, a disconnected smattering of states has been slowly driving toward regulations for autonomous vehicles, but the federal government appears poised to finally take the wheel and save the industry from a patchwork of contradictory and unsustainable laws. [Read more »](#)

## EMPLOYMENT

### Trump DOL Defends Authority, But Not Obama OT Rule

The U.S. Department of Labor told the Fifth Circuit on Friday that it will not defend a controversial Obama administration rule that more than doubled the threshold under which workers must be paid overtime, but it will undertake the rulemaking process to set a new level, provided the court affirms its disputed power to set a salary test at all. [Read more »](#)

## PRIVACY & CONSUMER PROTECTION

### Sen. Hatch Proposes Cybersecurity Info Hub After Attacks

Sen. Orrin Hatch, R-Utah, on Thursday introduced legislation that would establish a website with publicly available best practices for cybersecurity, coming on the heels of the major WannaCry attacks that impacted at least 300,000 computer systems in May. [Read more »](#)

## GOVERNMENT CONTRACTS

#### Analysis

### Top Gov't Contracts Policies Of 2017: Midyear Report

The repeal of the contentious "blacklisting" rule, expansion of a popular mentor-protégé program and an increased focus on "buying American" top the list of important government contract-related policy developments so far in 2017, a year as notable for what hasn't happened as what has. Here's a handful of impactful government contracting policy changes so far. [Read more »](#)

### Ex-GSA Chief Threatened To Transfer Whistleblower, OIG Says

The former head of the General Services Administration engaged in retaliatory action against a whistleblower when she made changes to his job functions and threatened to transfer him over his refusal to sign off on a funding measure for a technology program she favored, according to an inspector general's report made public Friday. [Read more »](#)

## INTERNATIONAL TRADE

### US Teeing Up New S. Korea Trade Talks As Trump False Starts

President Donald Trump on Friday falsely claimed that the U.S. had begun renegotiating its free trade agreement with South Korea, hours before the White House clarified that the administration would soon convene a special committee to reopen the agreement. [Read more »](#)

### US Steel Probes Draw Fire From WTO Members

A coalition of powerful World Trade Organization members took a stand Friday against possible new U.S. restrictions on aluminum and steel imports, warning that the Trump administration is posing "systemic risks" to the global trading system by attempting to justify trade barriers with national security claims. [Read more »](#)

### G-20 Trade Hurdles Still On The Rise But Slowing, WTO Says

Vedder Price  
Vinson & Elkins  
Walden Macht  
Weil Gotshal  
White and Williams  
WilmerHale

## COMPANIES

AT&T Inc.  
Abbott Laboratories  
Adobe Systems Incorporated  
Aetna Inc.  
Air Line Pilots Association International  
Akamai Technologies, Inc.  
American Airlines Group Inc.  
American Bar Association  
Apple Inc.  
Association of American Universities Inc.  
Assured Guaranty Ltd.  
BNSF Railway  
Berkeley Research Group  
Bristol-Myers Squibb Company  
Celgene Corporation  
Cisco Systems Inc.  
Colgate-Palmolive Co.  
Computer & Communications Industry Association  
Consumer Federation of America  
Electronic Frontier Foundation  
FedEx Corporation  
Federation for American Immigration Reform  
Financial Industry Regulatory Authority Inc.  
Fitbit Inc.  
Google Inc.  
Intel Corporation  
International Business Machines Corporation  
Limelight Networks, Inc.  
LinkedIn Corp.  
MBIA Inc.  
McKesson Corporation  
Microsoft Corporation  
National Conference of State Legislatures  
PepsiCo Inc.  
Pfizer Inc.  
QUALCOMM Incorporated  
RPX Corp.  
Reed Elsevier



The World Trade Organization issued the latest missive in the ongoing discussion of global protectionism Friday by reporting that while trade barriers among G-20 nations are on the rise, the rate of growth has slowed compared to years past. [Read more »](#)

## TAX

### Chicago-Area Soda Tax Stayed On Eve Of Scheduled Start

Cook County, Illinois' penny-per-ounce tax on sugar-sweetened beverages will not be implemented as scheduled on July 1, per a circuit court judge's Friday ruling granting opponents a temporary restraining order on the tax. [Read more »](#)

### IRS OKs Final Rules For Streamlined Nonprofit Applications

The Internal Revenue Service on Friday made permanent a streamlined nonprofit application process, meant to make it easier for small organizations to apply for tax-exempt status with fewer hurdles. [Read more »](#)

## BANKRUPTCY

### Puerto Rico Utility Headed For Bankruptcy After Panel Vote

The federal panel overseeing Puerto Rico's debt crisis voted Friday to allow the island's government-owned power company to voluntarily file for a specially created form of bankruptcy, just days after the same group rejected a \$9 billion restructuring deal the utility reached with its creditors out of court. [Read more »](#)

## IMMIGRATION

### 10 AGs File FOIA Request For Immigration Enforcement Data

The attorneys general of nine states and the District of Columbia filed a Freedom of Information Act request Thursday in a joint effort to get to the bottom of what they called a "confusing array" of immigrant enforcement practices implemented by the Trump administration, according to a statement that cited a nearly 40 percent bump in immigration arrests. [Read more »](#)

### Immigration Ombudsman Cites Investor Visa Backlog

In its annual report to Congress, the Office of the Citizenship and Immigration Services Ombudsman said administrative reviews of visa denials had gotten quicker but noted that a surge in applications for immigrant investor visas has led to sometimes decadelong waits for approval. [Read more »](#)

## WHITE COLLAR

### Analysis

### Ex-Philly DA's Midtrial Plea Shows Fear Of Lengthy Sentence

Former Philadelphia District Attorney Seth Williams read the writing on the wall with Thursday's surprise guilty plea to one count of violating Pennsylvania bribery law eight days into his federal trial, which was likely motivated by the realization he couldn't overcome damning evidence in the case and the fear of an exorbitant prison sentence, experts say. [Read more »](#)

### Texas Justices Side With Dems In Corporate Contribution Row

A split Texas Supreme Court on Friday upheld the constitutionality of state laws limiting corporations from donating to candidates for office, rejecting a challenge from the nonprofit group King Street Patriots stemming from a lawsuit brought by the Texas Democratic Party. [Read more »](#)

## PEOPLE

## SIFMA

Santander Consumer USA Holdings Inc.

Sierra Club

Snap Inc.

Telefonica S.A.

The Boeing Company

U.S. Chamber of Commerce

Unified Patents Inc.

United Continental Holdings Inc.

Valeant Pharmaceuticals

International

WSP Holdings Ltd.

Zimmer Biomet Holdings Inc.

eBay Inc.

## GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Citizenship and Immigration Services

California Department of Public Health

California Public Employees' Retirement System

Centers for Medicare & Medicaid Services

Central Intelligence Agency

Cheyenne River Sioux Tribe

Commodity Futures Trading Commission

Congressional Budget Office

Defense Logistics Agency

Department of Commerce

Equal Employment Opportunity Commission

European Union

Executive Office of the President

Federal Acquisition Regulatory Council

Federal Aviation Administration

Federal Bureau of Investigation

Federal Communications Commission

Federal Energy Regulatory Commission

Federal Trade Commission

Internal Revenue Service

International Trade Commission

NAFTA

National Aeronautics and Space Administration

National Institute of Standards and Technology

National Labor Relations Board



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## Health Hires: DR Welch, Greenspoon Grow Cannabis Teams

DR Welch and Greenspoon Marder PA have each boosted their cannabis teams with attorneys from the California public health department and a boutique cannabis firm, respectively. Foley & Lardner LLP has also hired a litigator from Jones Day.

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## EXPERT ANALYSIS

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### Next Steps In Cybersecurity Under President Trump

President Donald Trump's recent cybersecurity executive order triggers no less than 19 reports, covering a full range of topics affecting cybersecurity stakeholders. While it is not clear how the reports will be coordinated or rationalized, stakeholders would be wise to take the reports seriously, and to recognize that the clock has started in the race to influence them, say attorneys with Arnold & Porter Kaye Scholer LLP.

[Read more »](#)

### 'Physical Presence' Bill Could Have Enormous Impact

The recently introduced No Regulation Without Representation Act would not only legislatively enact and define the Quill physical presence rule, but also preempt many states' attempts to expand physical presence nexus, including click-through, marketplace nexus and economic nexus, say attorneys with McDermott Will & Emery LLP. [Read more »](#)

### STRONGER Patents Act Is Likely Too Ambitious To Pass

The provisions of the STRONGER Patents Act are quite sweeping — they would undo or drastically alter five U.S. Supreme Court cases. As the 114th Congress demonstrated, bringing such an overarching bill to a vote can be very challenging, say attorneys with Finnegan Henderson Farabow Garrett & Dunner LLP. [Read more »](#)

### US Supreme Court Snapshot With Ian Gershengorn

We've heard last term described as the calm before the storm. I think we may get to see the storm in this next sitting, says Ian Gershengorn, former acting solicitor general of the United States. [Read more »](#)

### Recap

### What The Experts Said About High Court Rulings This Term

With the U.S. Supreme Court term now concluded, we take a look back at some first impressions from the experts when the most impactful decisions for corporate law were handed down. [Read more »](#)

## LEXIS PRACTICE ADVISOR

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### How To Use The Bona Fide Prospective Purchaser Defense

Under the Comprehensive Environmental Response, Compensation and Liability Act, current owners and operators of real property are strictly liable for costs to clean up environmental contamination. However, the bona fide prospective purchaser defense may shield a prospective purchaser from CERCLA liability stemming from pre-existing contamination, says Nicholas Rigano of Rigano LLC. [Read more »](#)

## LEGAL INDUSTRY

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### Days After Hack, DLA Piper Restores Email Service

DLA Piper had restored its email systems by Friday afternoon, capping off nearly a week of disruption caused by a network shutdown responding to a massive global malware attack. [Read more »](#)

### 115-Year-Old Chadbourne Merges Into Norton Rose Fulbright

Chadbourne & Parke LLP, founded 115 years ago, has completed its tie-up with

National Security Agency  
Office of Federal Procurement Policy  
Securities and Exchange Commission  
Small Business Administration  
Texas Legislature  
U.S. Air Force  
U.S. Army  
U.S. Attorney's Office  
U.S. Copyright Office  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Office of Personnel Management  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court  
World Trade Organization

global giant Norton Rose Fulbright, with the combined firm now boasting approximately 4,000 attorneys in 33 countries under the Norton Rose Fulbright name, the firm said Friday. [Read more »](#)

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

The Trump administration's changing priorities were felt in many areas of labor and employment this week, a malware attack shook the business world, and the FTC said it was reviewing regulations that affect a swath of industries. These are some of the top stories in corporate legal news you may have missed last week. [Read more »](#)

### **They Found Love In A Taxless Place**

In deciding that a former Colgate-Palmolive Co. executive should not have to pay \$2.2 million in New York state taxes after moving to Paris to be with a long-lost love, an administrative law judge unraveled the inspiring saga of a pair of high school sweethearts who were torn apart for more than 40 years and the gold necklace that bound them together. [Read more »](#)

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

### **Law360's Pro Say Podcast: Travel Ban & Shkreli Juror Woes**

In the latest episode of Law360's Pro Say podcast the team discusses the U.S. Supreme Court deciding to hear a case over President Trump's immigration travel ban, the trouble finding unbiased jurors in the fraud trial of Martin Shkreli, and the latest developments in Gawker's war with Silicon Valley titan Peter Thiel. [Read more »](#)

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Air Line Pilots Association International  
American Airlines Group Inc.  
American Bar Association  
Apple Inc.  
Association of American Universities Inc.  
Assured Guaranty Ltd.  
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#### GOVERNMENT AGENCIES

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Securities and Exchange Commission  
Federal Bureau of Investigation  
U.S. Department of Labor  
European Union  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. General Services Administration  
Army Corps of Engineers  
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International Trade Commission  
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Bureau of Citizenship and Immigration Services  
California Department of Public Health  
California Public Employees' Retirement System  
Central Intelligence Agency  
Cheyenne River Sioux Tribe  
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